

**ROYAL COMMISSION INTO INSTITUTIONAL  
RESPONSES TO CHILD SEXUAL ABUSE**

**Public Hearing - Case Study 10  
(Day 66)**

Level 17, Governor Macquarie Tower  
Farrer Place, Sydney

On Wednesday, 2 April 2014 at 10am

Before the Chair: Justice Peter McClellan AM  
Before Commissioners: Mr Robert Fitzgerald AM  
Professor Helen Milroy

Counsel Assisting: Mr Simeon Beckett

1 MR BECKETT: Your Honour, I have two applications for  
2 non-publication directions. One with respect to the name  
3 of a former resident that was mentioned on Friday,  
4 I understand. The second is with respect to certain parts  
5 of Dr Westmore's report of 4 December 2007, just to remove  
6 some personal details there. I'll hand those up.  
7  
8 THE CHAIR: You may need to make plain to anyone who is  
9 interested what the Westmore direction means. I know it is  
10 accurate but --  
11  
12 MR BECKETT: In what sense? In the sense that there not  
13 be publication of that part of it.  
14  
15 THE CHAIR: If the document is separated from the exhibit,  
16 if someone reads it they're not going to know what's going  
17 on. I'll change the date to April too.  
18  
19 MR BECKETT: Thank you, your Honour. Those parts of the  
20 exhibit, once they are uploaded to the website will be  
21 removed from the documents, so anybody looking at the  
22 document on the website will not have access to pages 3, 4,  
23 5 and 6.  
24  
25 THE CHAIR: Anyone with hard copies needs to understand  
26 the consequence for this direction.  
27  
28 MR BECKETT: Yes, indeed. I'll have it posted in the  
29 media rooms.  
30  
31 THE CHAIR: Yes, but what I'm saying is if someone was to  
32 separate those pages, someone looking at this would  
33 innocently not know what it means, because they're  
34 identified by reference to the pages in the exhibit.  
35  
36 MR BECKETT: Yes. Your Honour, we can look at redrafting  
37 that to provide it with greater accuracy.  
38  
39 THE CHAIR: I don't know about redrafting it, but what you  
40 might do is retrieve or make sure that anyone who has  
41 copies confines their use of them.  
42  
43 MR BECKETT: I will do that, thank you, your Honour.  
44  
45 THE CHAIR: I've made the directions.  
46  
47 MR BECKETT: Could Ms Karyn Walsh come back into the

1 witness box, please.

2  
3 <KARYN JOAN WALSH, on former affirmation: [10.07am]

4  
5 <EXAMINATION BY MR BECKETT CONTINUING:

6  
7 MR BECKETT: Q. Ms Walsh, there are a number of  
8 follow-up questions I wanted to ask you as a result of your  
9 evidence yesterday and to just pick up some of the matters  
10 that are in your statement of 12 March 2014. The first is  
11 some mechanical issues. First of all, what is the process  
12 of referral, if any, to Micah for people wanting to go  
13 through the Salvation Army process? How do they come to  
14 Micah in the first place?

15 A. It tends to be self referral. We don't - we have in  
16 our publications that if people want to discuss internal  
17 church processes, they can discuss - we will share the  
18 information we have about any particular church.

19  
20 Q. Yes. Is there any formal or informal arrangement with  
21 The Salvation Army so that if people come to them first,  
22 that they are referred to Micah for assistance?

23 A. I'm not - there's no formal documented process.  
24 People have come through a variety of ways, and sometimes  
25 they don't tell us who told them to come until later in the  
26 process, so, you know, we have events and we have people  
27 who participate in the centre regularly. We have other  
28 people who know people, so it's tended to be more informal.

29  
30 Q. Would it assist or cause problems if there was some  
31 form of informal or formal arrangement between  
32 The Salvation Army and Micah?

33 A. We would need to go through that in a formal way of  
34 looking at an MOU, what that would mean. We don't see it  
35 as our role to advertise or promote the process of The  
36 Salvation Army. The process is what The Salvation Army  
37 says it is and our approach is to support the person,  
38 navigate that process - we're clear we're not lawyers -  
39 that it's directed by what the person wants to do.

40  
41 Sometimes people have undertaken the process  
42 themselves, without assistance, or just come back and want  
43 emotional support. It's really - we're really clear that  
44 we're not formal mediators in a process. We don't have  
45 access to information to be in any way in that role.

46  
47 Q. Yes. I understand that, and thank you. I'm just

1 wondering whether it would assist you in your work if there  
2 was some form of arrangement so that a person coming into  
3 The Salvation Army, who was in Queensland, was referred to  
4 Micah for the assistance and services that Micah provides?  
5 A. We'd be happy to discuss it. It would depend - we  
6 wouldn't want to blur the lines of that. We're independent  
7 of Salvation Army.

8  
9 Q. Moving on to another point, but related, in  
10 paragraph 12, you talk about there being some engagement  
11 with The Salvation Army about the nature of their processes  
12 and discussion about what the experience is of those people  
13 who come through Micah and are taken through the claims  
14 process with The Salvation Army. You say there that there  
15 was some limited engagement, at paragraph 12. Since that  
16 time has there been any further engagement with The  
17 Salvation Army about their mechanisms and processes for  
18 claims?

19 A. Only with the individual advocates who have given, you  
20 know, feedback from time to time. Anything else that we've  
21 done publicly, The Salvation Army is often invited. Any of  
22 the policy implications or systemic barriers that have been  
23 talked about - you know, we don't have the resources to be  
24 a systemic advocate for every church, so we tended to focus  
25 on the broader issues. But certainly the different  
26 advocates have given feedback over time.

27  
28 We originally met with James Condon with a group of  
29 people following the Forde Inquiry. That certainly made a  
30 difference to people's access to The Salvation Army. Prior  
31 to that, people were really struggling, you know. James  
32 was able to move that along, and - because the  
33 administration is in Sydney. But it doesn't stop the  
34 systemic issues which people feel are barriers, no matter  
35 how effective or what the experience of the individual  
36 process was.

37  
38 Q. I also wanted to ask you about the engagement with the  
39 disciplinary process within The Salvation Army, just by way  
40 of background. You of course understand that in many times  
41 the people that come into Micah have been the victims, if  
42 you like, of criminal acts of one sort or another. What  
43 are the processes by which they - that is, the claimants -  
44 are able to engage with the disciplinary process within The  
45 Salvation Army?

46 A. I'm not aware of any process other than what people  
47 have asked for in the individual meetings. Certainly if

1 people want to go to the police, we would support them to  
2 go to the police. Sometimes the barriers to that are the  
3 nature of historic complaints and how they are received in  
4 the police complaints, and if people knew the name of the  
5 offender, because often they weren't 100 per cent sure, or,  
6 you know, there were issues around the clarity of what they  
7 needed to be able to say to the police to proceed with  
8 putting in a formal complaint.

9  
10 Q. Are there cases that you're aware of where the  
11 claimant has asked for there to be some form of  
12 disciplinary action against an individual Salvation Army  
13 officer?

14 A. Yes, I'm aware people have asked and would like to  
15 know what it is when it happens.

16  
17 Q. Are you aware --

18 A. Or doesn't happen.

19  
20 Q. Are you aware of what the response of The Salvation  
21 Army has been to those requests?

22 A. Only through the witnesses in this case study.

23  
24 Q. Do you think the process could be improved in terms of  
25 that particular part of it, namely, where people want some  
26 form of disciplinary investigation?

27 A. I think the process could be improved by separating  
28 out where there are clear victims of crimes processes that  
29 should be followed, both for sexual abuse and for other  
30 forms of abuse - you know, what's the threshold level and  
31 that, you know, if it is a victim of a crime, it is a  
32 different, I suppose, framework to a Professional Standards  
33 Committee and I think sometimes the language that is used  
34 can diminish what people feel they are engaging with.

35  
36 Q. Turning to another matter, there's been some evidence  
37 given to the Royal Commission of two or three people who  
38 have had two payments from The Salvation Army.

39 Wally McLeod, for example, who gave evidence at the first  
40 hearing, says that he received one payment of a certain  
41 amount and then, after a reunion, I think, he received a  
42 subsequent payment from The Salvation Army, even though  
43 he'd signed a deed of release after the first payment. Are  
44 you aware of those secondary payments occurring?

45 A. We're aware that they've happened through this  
46 process, through the Royal Commission, and sometimes people  
47 refer to it, but we may not have been involved in any

1 process that resulted in that. We didn't witness the  
2 process of that occurring necessarily.

3  
4 Q. Are there any specific examples that you recall where  
5 there has been a subsequent payment after the first payment  
6 has been made?

7 A. When people have, through the process with an  
8 advocate, written back and said they're not satisfied and  
9 then another amount is offered.

10  
11 Q. Yes.

12 A. But there are some that have occurred outside that  
13 process, I think.

14  
15 Q. All right. There seem to be some cases - for example,  
16 with respect to Ms Eldridge, there was a reconsideration of  
17 the initial amount that was offered and a final amount was  
18 reached, I think, in the order of \$40,000, and concluded,  
19 but the evidence we have with respect to Mr McLeod, for  
20 example, is that he went through the process, was offered  
21 an amount of money - I think it was \$20,000 or \$30,000 but  
22 I stand to be corrected on that - the matter was concluded  
23 with the deed of release but then, some time after that,  
24 there seemed to have been further consideration of his  
25 situation and a further payment was offered to him which he  
26 accepted. Are you aware of that circumstance occurring?

27 A. I'm aware that that occurred in that instance.

28  
29 Q. Do you understand why it occurred?

30 A. No, but the systemic issue that people would raise  
31 about that is that they don't understand necessarily,  
32 either, and it is not clear on what basis the offer was  
33 made.

34  
35 In the last couple of weeks this has been something  
36 that a couple of people have mentioned around, since the  
37 case studies with the Royal Commission, whether there is  
38 going to be a formal process of reviewing payments or  
39 whether it is an ad hoc process of if people are contacted  
40 and offered something more than what they've received.

41  
42 Q. You gave some evidence yesterday about the apology,  
43 and I note that at paragraph 34 of your statement you talk  
44 about the "isolation of the apology", I think were the  
45 words that you used, and your desire to see a more  
46 integrated approach to the use of an apology. What did you  
47 mean by that?

1 A. Well, for some people it is about the whole  
2 framework - not just acknowledgment of their experience,  
3 but also, you know, the recognition by The Salvation Army,  
4 or any church, of their failure to protect.

5  
6 For some people, they want it to go further, in that  
7 it's also been a failure to listen over time, over many  
8 years; to get their reality of their childhood into the  
9 public domain; and also for The Salvation Army to fully  
10 appreciate the harm and impact of their childhood in  
11 institutions and the experience of childhood sexual abuse.

12  
13 So for some people, it is more than acknowledging the  
14 experience, it's also being very clear about an  
15 understanding and an appreciation of the full extent of  
16 that experience, you know, which is fully documented in  
17 some inquiries, such as the Forde Inquiry or the senate  
18 inquiry. People are not requested to put in impact  
19 statements where it is an analysis of the impact; they have  
20 been able to put in a statement in their own words. So  
21 sometimes victims are assuming that there's a level of  
22 knowledge and hope, and would like to see that more evident  
23 in the apology, that they fully understand what the Forde  
24 Inquiry, for example, in Queensland, or the senate  
25 inquiries - what those reports have fully documented and  
26 put on public record, that the abuses and neglect did occur  
27 individually and of a systemic nature.

28  
29 So it's really about the whole context, not just the  
30 individual context, but also the link with the  
31 accountability of the offender.

32  
33 Q. Clearly, a lot of that material has to happen at the  
34 macro level, in the sense that the leaders of the  
35 organisation need to take certain steps to express, for  
36 example, a national apology, to make statements on the  
37 website to all the world, if you like?

38 A. Yes, and some people find those public statements  
39 meaningful; other people feel that, when their own  
40 experience has been minimised or dismissed or there hasn't  
41 been involvement of a group of people to have input into  
42 that apology, then sometimes people are less appreciative  
43 of the public apologies. It is really something that every  
44 individual has to look at in the context of their own  
45 experience as well as their own expectations of what  
46 they're looking for for a just response.

47

1 Q. One view that's been expressed to the Royal Commission  
2 is that there is merit in separating the calculation of any  
3 ex gratia payment and, indeed, any investigation from the  
4 apology and from any pastoral support provided to the  
5 person concerned. Do you have a view on the merit of  
6 separating those matters off to one side from the apology?

7 A. Well, I think the technicalities of what part of the  
8 process an apology is offered and what is the actual  
9 process of investigation, how that investigation is fully  
10 and transparently shared with a victim, how people make a  
11 decision about the payments that are offered in light of  
12 the fact that people are unable to pursue civil  
13 litigation - those are the things that people need to be  
14 connected. If they're disconnected from each other, then  
15 it's not always a satisfactory response.  
16

17 I think that the pastoral response is a very important  
18 part for many people, to have a respectful engagement  
19 between leaders of The Salvation Army and themselves, but  
20 it's also - often people want it to go further than that.  
21 They want to make sure that The Salvation Army is  
22 absolutely making sure that all of their church understands  
23 what failure to protect occurred in the orphanages, that  
24 their communication acknowledged that publicly, that crimes  
25 did occur, that it's not doing an apology in order to  
26 protect the church's interests but it is doing an apology  
27 based on a full knowledge of the impact and extent of what  
28 occurred.  
29

30 COMMISSIONER FITZGERALD: Q. Ms Walsh, in relation to  
31 paragraph 38 you talk about pastoral support, and you have  
32 referred to it again. Is there a different expectation of  
33 victims when they come forward to a faith-based  
34 organisation such as The Salvation Army and that of a  
35 secular organisation and, if so, how do those expectations  
36 differ?

37 A. Well, I think that people have an expectation that it  
38 is at the core of a Christian organisation to protect the  
39 vulnerable and that they, as vulnerable people, were not  
40 protected and, in fact, were placed in care because of  
41 their vulnerability. There is an expectation that as a  
42 faith based organisation that, you know, they would honour  
43 a commitment to justice and to healing that doesn't  
44 minimise or stop any other civil action that people might  
45 be able to take.  
46

47 Q. In paragraph 38 you also say that it has been the view

1 of some victims that an ongoing voluntary relationship with  
2 the army, as an element of their own healing journey, would  
3 be appropriate. Then you talk about other matters  
4 pertaining to the army itself. They also reflect the views  
5 or comments we've heard in relation to other religious  
6 institutions, which seem to be different from that which  
7 might be required from a government or a non-faith-based  
8 organisation.

9 A. Well, I think it depends on the view of the person.  
10 If a person is a person of faith, I think their  
11 expectations differ to a person who may not be.  
12

13 People's experience - people expect governments to act  
14 justly and to, you know, design the best processes in their  
15 interests as well, but their emotional connection to what  
16 governments might do is different to what they may expect  
17 of the church.  
18

19 For some people, they have been active in their own  
20 faith and they have different expectations coming from  
21 that. For others, they would never want to have a  
22 religious connotation to any pastoral support because they  
23 would find that offensive. So it is about having a process  
24 that really respects and elicits the view of each person  
25 about what is their expectation and what would make the  
26 engagement with the church, you know, sensitive, respectful  
27 of their needs, and that it's not conditional upon - you  
28 know, not silencing them or not expecting them to have any  
29 religious result from the engagement.  
30

31 COMMISSIONER FITZGERALD: Thank you.  
32

33 MR BECKETT: Q. Just two more short issues. The issue  
34 of legal representation has come up a number of times, and  
35 certainly we appreciate that Micah does not offer legal  
36 representation. But is there a role for Micah in referring  
37 claimants who are going through The Salvation Army process  
38 to a lawyer at the stage at which they're asked to sign a  
39 deed of release?

40 A. Well, we certainly see it's our role that people  
41 understand the deed of release, and most people do  
42 understand and are clear that it prevents them from any  
43 further action with the court. We have had sessions with  
44 lawyers to come and talk to people about what a deed of  
45 release is.  
46

47 In terms of the referral pathway, we haven't really

1 been able to establish where is the most - you know, what  
2 is the capacity of community legal centres to provide this  
3 advice, because people - there are two issues. One is, is  
4 it simply understanding what the deed says, and that is  
5 that you cannot take further actions. In the earlier days,  
6 certainly, people didn't want to be silenced by the deed,  
7 and that was a systemic issue that we advocated with people  
8 about and that changed.

9  
10 But for some lawyers, we've been told that in order to  
11 provide that advice, they don't feel comfortable without  
12 having gone through the whole scenario of their particular  
13 case, going through the records; how could they make an  
14 informed decision about whether or not a person would  
15 have - the case would be able to have any further argument  
16 in court than if they didn't go to court, and the funding  
17 for that has always been unclear, that people would have to  
18 pay for that.

19  
20 Q. I certainly appreciate that there are two issues:  
21 first of all, the nature of the deed and the effect upon  
22 the person concerned; and then there's a related issue  
23 about the prospects of success of any civil proceedings,  
24 for example, with respect to the same cause of action, if  
25 you like, the same abuse that occurred many years ago in  
26 most cases.

27 A. Well, people are clear that the statute of limitations  
28 prevents them --

29  
30 Q. Just with respect to that first issue, though, I'm  
31 trying to understand why, perhaps, there doesn't seem to  
32 have been any discussion between The Salvation Army and  
33 organisations such as Micah so that provision of legal  
34 advice could be given to those claimants with respect to the  
35 deed issue, at least?

36 A. In our advocacy systemic wise, we've certainly said  
37 legal issues need to have more attention to them.

38  
39 As I said before, we haven't taken up the systemic  
40 issues with every individual church, because they are a bit  
41 of a moving feast, anyway, like it changes from time to  
42 time. But the legal issues are one where this is an area  
43 that there seems to be, you know, a lot more work to be  
44 done within the legal profession as well, and certainly we  
45 would advocate for the funding of community legal centres.  
46 But people are very mindful that the costs associated with  
47 having someone look through their whole case and then to

1 make an informed decision about whether it, you know, could  
2 proceed with court or not, would reduce the amount of money  
3 that would be available to them at the end. There's  
4 certainly never been any indication from The Salvation Army  
5 that they would pay legal costs.  
6

7 Also, I think people felt that this may be not a legal  
8 process and, on the balance, that there are lawyers  
9 advising The Salvation Army, that is where people see a  
10 systemic barrier in that it doesn't make it an equal  
11 playing field, but it is the only opportunity that people  
12 have and they make a decision to go through that process.  
13 There are plenty of people who have made a decision not to  
14 go through that process.  
15

16 Q. One piece of evidence that was given by Mr Lucas  
17 yesterday was about the finality, in many cases, of the  
18 offer and then the acceptance of the offer, signing of the  
19 deed of the release and related matters and then receipt of  
20 the money. You say at paragraph 38 that it is important to  
21 have, in certain cases, some ongoing relationship,  
22 particularly a pastoral relationship, after the conclusion  
23 of the claims process. Can you please tell us something  
24 about that? What is needed at that part of the process?

25 A. I don't think that the pastoral process should be  
26 blurred with, you know, second offers of money or - you  
27 know, that process needs to be very clear in its beginning,  
28 the discussion that needs to occur in the middle and how it  
29 concludes. But certainly there are people who say that  
30 they would like to have an ongoing relationship because  
31 they may still access Salvation Army services today. They  
32 would want to know and engage with The Salvation Army about  
33 making sure that the service providers of today understand  
34 the history and experience that they had and how that might  
35 impact on how they are treated and how they may engage in  
36 services that are provided by The Salvation Army today.  
37

38 I think for some people it's vindication, if there is  
39 an ongoing relationship, that they no longer feel they are  
40 not being heard or they're being blamed for having raised  
41 the issues in the first place. There are certainly victim  
42 advocates and survivors who have felt the burden of having  
43 raised these issues publicly, to get public attention, and  
44 sometimes that ongoing personal relationship is able to,  
45 you know, reposition that, that it's been okay for them to  
46 speak out as advocates and to bring this to the public  
47 attention.

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Q. Those are my questions. Is there anything --  
A. I guess one other thing is, I think where the pastoral process can be harmful is where people think that it is a way of getting people not to speak, not to have their voice or not to pursue further action. If people have a sense of that, which is more an intuitive sense, because of the way in which - the language that's been used, or whatever, then people aren't satisfied, but there are certainly people in both circumstances where they don't want anything to do with The Salvation Army and people who are happy to seek an ongoing relationship.

Q. Thank you. Was there anything else you wanted to say?  
A. No.

MR BECKETT: Those are my questions.

**<EXAMINATION BY MS EASTMAN:**

MS EASTMAN: Q. Ms Walsh, I appear for The Salvation Army. You might recall that we spoke on the phone some months ago in relation to the previous case study before the Commission.

I just want to ask you a few questions in relation to some matters in your statement. It is really by way of some clarification and detail on some of the topics that you've touched on. If this is a convenient way to do it, I might just walk through on a paragraph-by-paragraph basis. Do you have your statement with you or are you relying on the screen?

A. I left it outside, but I'm okay.

Q. Perhaps if I can ask the Royal Commission officers just to bring the statement up on the screen, please. Can I start with paragraph 5, on the second page of the document. I just want to ask you about the beginning. As I understand your evidence, you start with the development work for Micah in 1993 and then taking on the coordinator's role in 1995. Is that the correct understanding from paragraph 5?

A. Yes.

Q. Part of your task as a coordinator with respect to Project Esther was to look at what services the individuals who were coming forward to tell their stories might need;

1 is that right?

2 A. Yes.

3

4 Q. It was your task to identify, for example, whether the  
5 services that they might require might be services in  
6 relation to housing, access to Centrelink, employment  
7 services?

8 A. Well, in the very beginning it was very focused on  
9 what were their avenues to seek redress and to seek  
10 acknowledgment that abuse did occur in the children's  
11 homes, including The Salvation Army.

12

13 We had a small project looking at violence in faith  
14 communities, which was with the intent of looking domestic  
15 and sexual violence. The overwhelming numbers of contact  
16 that we got through that small project was about people who  
17 were in institutional care, people like Lewis Blayse and  
18 others who were starting to form victim support groups.  
19 There were lots of people who contacted us about that  
20 particular issue which, in some ways, we were unprepared  
21 for.

22

23 Q. Can I just bring you back to when you say you were  
24 responsible for developing the services, just to identify  
25 what were those services that you identified or developed?

26 A. Well - in 1995?

27

28 Q. Yes.

29 A. The service that people were seeking from us was  
30 support to advocate about their experiences of being in  
31 institutional care and what were their options for going  
32 forward in terms of support to go to the police, support to  
33 go to get the churches to listen and talk to them and to  
34 get government to do the same in terms of government-run  
35 institutions and detention centres.

36

37 During that process other needs emerged, and have  
38 continued to emerge over the past 17 years, where people  
39 have continued to be highly vulnerable: some people have  
40 been homeless; some people have lived in very unstable  
41 housing; people have been in emotional turmoil, haven't  
42 been able to access the health services that they required;  
43 if they were accessing and people didn't believe the  
44 experiences that they were talking about, that they  
45 believed were impacting on their life today - whether that  
46 was through an addiction or some other mental health issue.  
47 And there were plenty of people who had managed to engage

1 in a fairly productive life and had been employed, but this  
2 issue of trauma from their childhood, the need to be heard  
3 publicly, the need to be recognised as not just trying to  
4 give a bad name to any of the churches, but to actually  
5 have the churches recognise the abuse of the past, and the  
6 government to recognise it, was really the most important  
7 thing that people were asking for in 1995.  
8

9 Q. Could I just bring you back to 1995. Starting at that  
10 point in time, what services did the Esther Centre, at that  
11 time, offer survivors?

12 A. Mainly support and advocacy. We only had 15 hours a  
13 week that we were funded. So, you know, we were linking  
14 people with immediate services, if that was what was  
15 needed, but we started to organise meetings with people to  
16 try and listen to what people were saying, understand how  
17 they could move forward in a structured way with their  
18 advocacy about what had occurred in the past.  
19

20 In some cases people were engaged with lawyers. We  
21 certainly talked to lawyers about what the people's options  
22 were.  
23

24 We did talk to some churches, if they wanted to, but  
25 that was the most - in that period of time, that was the  
26 service that we offered, as well as trying to understand  
27 what processes were available if people wanted to talk to  
28 the church about a serious complaint.  
29

30 Q. In terms of support services, did that involve  
31 counselling?

32 A. No, not at that time.  
33

34 Q. And in terms of the other referral services, did that  
35 involve identifying other services that might be available  
36 in the community to assist a survivor, for example, with a  
37 wide range of issues that they might be confronted with at  
38 the time they first came to Esther?

39 A. Well, referral was sort of - we tried to refer.  
40 Services weren't always available for what people needed.  
41 Back in 1995 the number of sexual assault services  
42 available and the understanding of the professional  
43 community of, you know, what had occurred in their  
44 childhood and understanding those issues - that's an  
45 ongoing issue that people face today, that for people to  
46 provide the appropriate service they need to have a full  
47 understanding and knowledge of, you know, what was the

1 context of people's lives. I think at this point what  
2 people were most passionate about was that there be some  
3 opportunity for truth-telling, and we were involved in  
4 advocating for the Forde Inquiry.

5  
6 Q. Looking back on 1995, you wouldn't say, would you,  
7 that you got everything right in terms of the services that  
8 were required or the best way to assist the survivors at  
9 that point in time?

10 A. What do you mean "got everything right"?

11  
12 Q. You wouldn't say, for example, "Look, in 1995 when we  
13 set up, I developed services and what I developed in 1995  
14 I thought would be appropriate and that they've then  
15 continued through"? Perhaps if I put it to you another  
16 way. In 1995 it was the beginning of a process that has  
17 evolved over time, after working with the survivors and the  
18 various faith-based institutions. Would that be a fair  
19 comment?

20 A. Yes, but we did look for research and where we could  
21 get some sort of framework to understand what we were  
22 hearing.

23  
24 I mean, I personally was quite overwhelmed with  
25 hearing hundreds of people talk about their experience and  
26 not know which was the way to move forward. There were  
27 lots of - you know, certainly at that point in time,  
28 I think we were all associated as having a gripe with  
29 churches, meaning any church; that somehow this was a  
30 conspiracy to undermine the good works of the church, when  
31 it wasn't. So we did go to - we applied for funding to go  
32 to the Centre Against Domestic and Sexual Violence in  
33 Seattle to do training on what was the framework for  
34 looking at abuse of power as well as abuse by clergy, and  
35 that was certainly a very helpful framework for us to try  
36 to begin to make sense of what would be a way forward in  
37 organising people - you know, who do people need to talk  
38 to; how do you work with people? So that the great  
39 divergence of views that people have and the diversity of  
40 experience - you know, I think the professional community  
41 was coming to terms with the impact of childhood sexual  
42 abuse generally, but when you added the layer that this  
43 occurred in an institution that was set up to do good, to  
44 protect vulnerable people, and harm occurred, the  
45 frameworks didn't quite fit, so our training, which was  
46 only a "train the trainer" four-day workshop, that  
47 certainly helped us - with Marie Fortune. We then followed

1 up by bringing Marie Fortune out here. We got other  
2 international people to come out to help educate us and the  
3 broader community - Ray Wyre from England, who was very  
4 good at working with the police, and the police actually  
5 also engaged in around training of historical abuse cases;  
6 Gary Schoener, who was doing a lot of work in the States.  
7 So really trying to work through the maze of the legal,  
8 psychological, advocacy and support issues.  
9

10 Canada was doing a review. The Law Reform Commission  
11 in Canada had commissioned a review of institutional abuse  
12 and that was something that we followed. We were engaged  
13 with some victim advocates from that period of time.  
14

15 So I don't know about getting it right, but we had a  
16 go at trying to understand what was the complexity of  
17 issues and what were the systemic barriers here that were  
18 local - and they're local in different States, with  
19 different churches, with different individuals. But  
20 certainly our goal was to provide whatever support we could  
21 for people to have a credible voice and so that they could  
22 also understand the complexity of the issues, both from a  
23 moral perspective and a legal perspective and a personal  
24 perspective; that self-care of people was an important  
25 element of what we tried to achieve.  
26

27 Q. Would you agree it's been an evolving process for the  
28 Esther Centre, into Lotus Place, in terms of identification  
29 of the services that survivors need and how best to support  
30 them through whatever process the survivor seeks?

31 A. Yes, it's - well, you know, we've worked with people  
32 through the different phases, and those phases have been  
33 determined by what the institutional responses were to what  
34 they were saying, from both governments and the church.  
35

36 I think that, you know, there are the issues of law  
37 reform as well as the issues of how to engage people  
38 respectfully and believe, you know, that people's  
39 experience is not necessarily coming from a place of  
40 wanting to harm institutions but a place of truth-telling,  
41 a place where there were serious issues that needed to be  
42 dealt with, and crimes - that this was criminal behaviour,  
43 it wasn't just a standard of practice. I think that's been  
44 something that people have struggled and remain - feel they  
45 continue to struggle to get a response that matches the  
46 weight of the crimes that were committed versus, you know,  
47 that this was the standard of the day.

1  
2 Q. Do you remember giving some evidence at a senate  
3 standing committee on community affairs in relation to a  
4 reference concerning the implementation of the  
5 recommendations of the Lost Innocents and Forgotten  
6 Australians Report on 6 April 2009?  
7 A. I remember I did.  
8  
9 Q. It was in Brisbane?  
10 A. I don't remember the exact day or what I said.  
11  
12 Q. But you have some recollection of giving some evidence  
13 at a senate committee?  
14 A. Yes. We've given evidence at a number of senate  
15 committees.  
16  
17 Q. You were asked some questions about the way in which  
18 the Esther Centre responded to needs of survivors. I'm  
19 happy, your Honour, we have copies of those transcripts, if  
20 it assists for your Honour and the Commissioners to look at  
21 it, and for Ms Walsh to follow along.  
22  
23 MR BECKETT: Your Honour, I haven't seen this document.  
24 I am about to.  
25  
26 THE CHAIR: Are there any rules around this? This is  
27 Hansard, isn't it?  
28  
29 MS EASTMAN: It is. I wasn't proposing to tender it,  
30 your Honour.  
31  
32 THE CHAIR: I don't think you can.  
33  
34 MS EASTMAN: No. I'm mindful of the issues about that.  
35 I just didn't want there to be any suggestion that I was  
36 referring to any evidence given if I hadn't given Ms Walsh  
37 an opportunity to see the part.  
38  
39 THE CHAIR: Yes. I think you're confined in asking her  
40 about that evidence, too.  
41  
42 MS EASTMAN: I understand that.  
43  
44 Q. I can do it this way. There is some pagination in the  
45 top right-hand corner described as "CA". Could I ask you  
46 to turn to "CA31".  
47

1           Your Honour, could I just make this observation.  
2           There is some material that will be before the Royal  
3           Commission in relation to one of the witnesses who will be  
4           giving some evidence either this afternoon or tomorrow,  
5           which will include fairly significant extracts of  
6           submissions made by that person to a senate committee as  
7           well. It might be a matter that I'll need to revisit in  
8           terms of the Parliamentary Privileges Act.

9  
10           But for this purpose, what I propose to do is just ask  
11           Ms Walsh to read Senator Humphries' question and then just  
12           her response, the first two paragraphs there. I'm not  
13           going to ask her about her evidence or question her in any  
14           way about the evidence that she gave, but there's a  
15           proposition --

16  
17           THE CHAIR:    You're showing this to remind her of  
18           something, is that what you're doing?

19  
20           MS EASTMAN:   Yes.

21  
22           THE WITNESS:  I understand what you're asking, because  
23           I said --

24  
25           MS EASTMAN:  I'm not asking to you read any of it.

26  
27           THE CHAIR:    I know it sounds strange, but there are some  
28           very old rules about what we can do with what's said in the  
29           parliament or a parliamentary committee.

30  
31           THE WITNESS:  Okay.

32  
33           THE CHAIR:    That is, we can't talk about it. All right?  
34           I know it sounds strange but --

35  
36           MS EASTMAN:  But just so there was no surprise, I want to  
37           be completely fair to Ms Walsh, I want to ask you about  
38           something that arises here.

39  
40           Q.    Could I ask you to look at Senator Humphries'  
41           question?

42           A.    I did.

43  
44           Q.    And then your immediate response to that in the  
45           paragraph and the following paragraph. You've had a chance  
46           to read that?

47           A.    Yes.

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Q. I ask you now to put that document to one side. I'm not going to ask you any questions about the evidence that you gave or what you did.

I want to return to the proposition that the development of services is an evolving process. You would agree with that?

A. Yes.

Q. The process of evolving a service to meet the survivors' needs will not necessarily meet every survivor's wishes or needs. Would you agree with that?

A. From the perspective of Micah, yes.

Q. And in terms of doing the best that one can, in some cases, such as with Micah, with limited resources, that you have to make decisions that might mean that you work to meet the needs of the majority but not every person who seeks to access the services?

A. Look, it's up to people who access our services to determine whether they have met their needs. I think that in advocacy, though, the process of advocacy is one that often does draw out conflicts between people, and people will not always necessarily support or accept a position that we may be putting forward that represents the views of other people and I think that in that context, in what I've read is what is relevant, that it is not so much about - you know, we've never set ourselves up to say we can meet the needs of everyone, because they're far too great and diverse for one organisation. You know, we work within the community services system; we work within a legal framework, within the legal systems that impact on people's lives. We work with churches in different ways. We come across church services in different ways. People might be living in a Salvation Army home, for example, while they're speaking to us about the issues of their childhood. So the context that we're in is doing what we can do within the resources to support people in seeking the services, but I suppose we've had the broader mandate with people of trying to understand how you could create a just response to the crimes and the experiences of abuse and the conditions in which their childhood was lived and how that's impacted on them.

And people's own understanding of those issues is evolving as time goes on. You know, certainly for many

1 people, understanding the nature of what constitutes  
2 childhood sexual abuse is an issue that they've had to come  
3 to terms with through their own reflections and  
4 experiences. So yes, it evolved but --

5  
6 Q. There's not one model, fixed at one point in time,  
7 which is going to be a suitable model to meet the needs of  
8 all survivors. Do you agree with that?

9 A. I'm not sure that I do. I think we have to work  
10 towards - it depends what we're talking about, provision of  
11 services or provision of justice, and I think that we do  
12 have to think - those two things have to be held together  
13 and that we really do have to consider, from the  
14 victim/survivor experience, what is justice for them and  
15 what are the services they need. They are two things that  
16 go hand in hand.

17  
18 I think people feel or communicate to us they feel  
19 offended when we simply refer to the services that people  
20 need, but we also need to respond to the strengths and  
21 determination and courage that people have had in order to  
22 seek what we could do to create justice. So those two  
23 things have to go hand in hand, and depending on where we  
24 sit in the overall scheme, I think, depends on how we move  
25 forward with people.

26  
27 Q. When you used the expression "justice", can I just  
28 clarify my understanding of what you mean by that. Do you  
29 mean by "justice" recognition, acceptance, responsibility,  
30 or do you mean by "justice" some much more formal legal  
31 process?

32 A. I think that justice includes a legal process.  
33 I don't think any experience, any creation of justice,  
34 should be at the cost of not having an understanding of  
35 where the legal framework of our society is placed in that  
36 process.

37  
38 Q. What experience have you had to date in working with  
39 legal processes to achieve justice, as you've described it?

40 A. Well, we've witnessed legal processes. We've  
41 witnessed people, you know, seek criminal convictions of  
42 offenders and how that's impacted on them. We've witnessed  
43 people being told they can't prosecute because of the  
44 strength of or that the evidence they have is too long ago.  
45 We understand the experience and hear all the time how  
46 people feel about the statute of limitations.

47

1 We've certainly, you know, witnessed some people  
2 attempt to go through civil proceedings. We've witnessed  
3 people in class actions and what those class actions have  
4 involved and what are the unintended consequences and what  
5 are the results of those. So we've certainly witnessed  
6 people going through those processes over the 17 years that  
7 we've been engaged with people.  
8

9 Q. But do I understand that your evidence is, having  
10 witnessed people going through those processes, that you  
11 don't see those legal processes as being particularly  
12 satisfactory for the survivors?

13 A. I think that there are systemic barriers that still  
14 survivors would like us to address, and that's at the heart  
15 of why people called for a Royal Commission and supported a  
16 Royal Commission. You know, however what occurred during  
17 that process, there may be elements that were satisfying or  
18 people felt they were able to take some action.  
19 Overwhelmingly, people feel that it is no longer a secret,  
20 and that has been an enormous lift from, say, 1995 where  
21 there was still this cloak of secrecy about how people  
22 perceived the churches and government and the broader  
23 community understood what their experience was as children.  
24

25 Q. Can I bring you back to paragraph 5 and you say, "In  
26 the beginning" - this is in the final part of the  
27 paragraph. I assume by that you mean in 1995; is that  
28 right?

29 A. No, that was really between 1995 and 2000.  
30

31 Q. So when you say, "In the beginning", is it better to  
32 say, "Between 1995 and 2000", the first five years?

33 A. Yes, because the Forde Inquiry occurred, so following  
34 the Forde Inquiry, the engagement that victim survivors  
35 wanted with church leaders and with government and  
36 political leaders was based on the findings of that report.  
37

38 Q. I'm conscious that some people might be listening in  
39 and not able to read what's in your statement, so if I just  
40 read what you say there and I'll come back and ask you  
41 something about it. You say:  
42

43 *In the beginning, we had no formal role in*  
44 *any complaints process but attempted in an*  
45 *ad hoc way to inform churches of what*  
46 *victims were telling us they wanted from a*  
47 *complaints process. This characterised our*

1                   *interaction, at the time, with The*  
2                   *Salvation Army.*

3  
4                   Just focusing on that, first of all, what I want to  
5                   understand in terms of what you mean in this sentence is,  
6                   are you saying that there was a complaints process that  
7                   victims, as you've described them, were talking about, or  
8                   are you saying victims were asking, at that time, that a  
9                   complaints process be developed? I just want to clarify  
10                  that?

11                 A. People had been asking for many years prior to - my  
12                 understanding of what people were saying to us is that  
13                 people had been asking, for many years, for engagement with  
14                 churches around the abuse they experienced as children.

15  
16                 Q. It is one thing to say "engagement with the  
17                 churches" and it's another to say "a complaints process"?

18                 A. All the purpose of the engagement was to talk about  
19                 the abuse they suffered.

20  
21                 Q. But when you use the expression "complaints process"  
22                 here, referring to that period 1995 to 2000, are you really  
23                 talking about a process that would start engagement between  
24                 the survivors and a relevant church that might, in turn,  
25                 lead to investigation or resolution or consideration of a  
26                 formal complaint? Is that what you mean in that paragraph?

27                 A. Yes, I think that that was one of the things that  
28                 people wanted to know, whether their - for some people, you  
29                 know, the statute of limitations, had already been given as  
30                 a reason for people, and that churches would use that as a  
31                 defence if they were taking it to court. So that  
32                 information was in the public arena.

33  
34                 Q. When you talk about that occurring in an "ad hoc" way,  
35                 can I just understand what you mean by that? Do you mean  
36                 it was --

37                 A. Probably that: it was ad hoc in the sense that we  
38                 didn't have the resources to systematically go through and  
39                 understand what every church was doing. However, some  
40                 churches did ask us to talk to them about what we had  
41                 learnt, had put out - when Marie Fortune came out, some  
42                 churches attended those workshops and, you know, sometimes  
43                 it was a member of a church who was on a committee who  
44                 might ask, "What does this mean? How do you make sense of  
45                 it?" It was probably never the church leaders, but there  
46                 were people who were engaged in these processes within  
47                 churches who were struggling with what it was about, and

1 I mean I think we shared the struggle. We didn't give them  
2 advice about what was the way forward, because there was so  
3 much unknown information at that point.  
4

5 Q. You just mention of a member of a church who was on a  
6 committee: what to you mean by "committee"? What would  
7 "committee" be referring to?

8 A. Sometimes a layperson might ring to just ask - you  
9 know, that they were on a professional standards committee,  
10 without talking about the content. No-one ever talked  
11 about their work on the committee, but it was more or less  
12 that, you know, there was a bit of - well, in Queensland at  
13 the time there was a bit of public debate around this issue  
14 about how should churches be responding. So in using the  
15 word "ad hoc" I couldn't guarantee that, you know, we went  
16 to every church leader and - we didn't have the resources  
17 for that.  
18

19 Q. Was it a case that in this period, 1995-2000, it was  
20 a little bit of feeling the way, finding out who might be  
21 relevant contact people within the church organisations and  
22 just starting to establish some of those networks, even if  
23 it was in an informal way?

24 A. Well, it was all - I don't know that it was ever  
25 informal, but it was - like, it was not always clear or  
26 freely given information. Sometimes the churches were  
27 still working out a process and weren't publicly putting  
28 that out for people to understand.  
29

30 Q. You say, as I've read out earlier, that that  
31 characterised the interaction with The Salvation Army. Do  
32 you have any recollection, at this period of time, who you  
33 dealt with in The Salvation Army, 1995 through to 2000?

34 A. Well, we met - I can't remember who we met with in  
35 Sydney, but we did talk with James Condon with a group of  
36 victims who shared their desire for The Salvation Army to  
37 be more approachable and to understand what their response  
38 was to the Forde Inquiry.  
39

40 Q. You speak later about that occurring maybe around  
41 2000. Prior to 2000, did you have any ad hoc interaction  
42 with anyone in The Salvation Army who you can remember?

43 A. We talked a lot to the group - from the victims' point  
44 of view we had more contact than we did with the hierarchy  
45 of The Salvation Army, because it was Sydney based. We did  
46 go to a meeting, but I can't recall who we spoke to, to  
47 just say were they - was there going to be public

1 information.

2

3 Q. Can you only remember one meeting that you might have  
4 attended that describes the process at the end of  
5 paragraph 4?

6 A. Myself and Mark Reimers went to a meeting in Sydney  
7 and Mark, as an advocate, continued those discussions as  
8 well.

9

10 Q. But can you only --

11 A. There was also the process of - victims were  
12 themselves talking to The Salvation Army, and we were more  
13 supporting them.

14

15 Q. I'm just trying to understand what you're telling the  
16 Royal Commission in paragraph 5. Would it be fair to say  
17 that the ad hoc interaction with The Salvation Army between  
18 1995 and 2000, to the best of your recollection, might be  
19 one meeting around 2000?

20 A. As well as inviting people to events that we had and  
21 sharing any public information that we might have put out.

22

23 Q. Perhaps if we just deal with this in context now. Can  
24 I ask you to look at paragraphs 12 and 13 of your  
25 statement. I think this is where you deal with the meeting  
26 with James Condon. Could I just ask you to read those  
27 paragraphs to yourself, please.

28 A. Okay.

29

30 Q. In paragraph 13 you say:

31

32 *Some care leavers and I met with James*  
33 *Condon in early 2000 soon after he*  
34 *commenced his role as Commissioner.*

35

36 Could I just ask you this - you're aware, aren't you, that  
37 James Condon was appointed to a role that had the title  
38 "commissioner" in April 2011. Were you aware of that?

39 A. No. Oh, I may have the dates wrong. Was it --

40

41 Q. I'll ask you to have a look at paragraph 13?

42 A. Do you mean his title at the time that we met with  
43 him?

44

45 Q. I just want to be clear about the time frame here.  
46 You say that some care leavers, and you, met with  
47 James Condon in early 2000, soon after he commenced his

1 role as commissioner. He commenced that role on 2 April  
2 2011, and you're not sure about that?  
3 A. Well, I didn't think it was 11 years later, but it was  
4 after the Forde Inquiry.

5  
6 Q. Might you be thinking about a period of time around  
7 1998 when Commissioner Condon was then the Divisional  
8 Commander for The Salvation Army in south Queensland?  
9 Could you be thinking about that period of time?

10 A. I have the title wrong, yes.

11  
12 Q. So if you met with now Commissioner Condon, then  
13 Divisional Commander Condon, that might have been in early  
14 2000 or possibly even earlier?

15 A. At the time I couldn't remember. I just knew that it  
16 was around the conclusion of the Forde Inquiry.

17  
18 Q. And if his role as divisional commander was one based  
19 for South Queensland, doing the best you can, is it  
20 possible you might have actually met with him in Brisbane  
21 rather than coming to Sydney?

22 A. No, we did meet with him in Brisbane but prior to  
23 that, we had met - and I can't recall the names of the two  
24 people we met in Sydney.

25  
26 Q. So going back to paragraph 12, that last couple of  
27 sentences you say:

28  
29 *The Salvation Army had attended a couple of*  
30 *these meetings but we really started to*  
31 *engage after James Condon became the*  
32 *Commissioner.*

33  
34 Might it be possible that you have assumed that he was the  
35 Commissioner but at that time was in fact the divisional  
36 commander?

37 A. No, I would have known he was a divisional head.  
38 I just didn't have a memory, now, of those titles.  
39 I apologise.

40  
41 Q. It is not a criticism. I just want to clarify. You  
42 have a recollection of having some engagement with him both  
43 in Brisbane and in Sydney; is that right or just with him  
44 in Brisbane?

45 A. In Brisbane.

46  
47 Q. You say in paragraph 12:

1  
2           *The difficulty prior to this was that*  
3           *Brisbane was administered from Salvation*  
4           *Army headquarters in Sydney.*  
5

6 Do I take it that what you mean is that once  
7 Commissioner Condon had the role of divisional commander  
8 based in the South Queensland area, that there was, at  
9 least on your view, a more ready access or line of  
10 communication with him based in Brisbane?

11 A. Yes, he was willing to meet with people; people were  
12 able to share their frustrations about their perceptions  
13 and understanding and their experience of The Salvation  
14 Army's response to the Forde Inquiry.  
15

16 Q. I'm not asking you to give a character reference for  
17 Commissioner Condon, but can I put this to you: at no  
18 stage was he unwilling to meet or engage with you or any of  
19 the survivors, was he?

20 A. No, we've never stated that he was, but he was not -  
21 at the same time, he was not the person in charge of the  
22 complaints process. I believe he was an internal voice for  
23 victims to improve that process, and people were happy that  
24 that engagement had occurred and --  
25

26 Q. Do you have any recollection of your engagement with  
27 now Commissioner Condon, suggesting to him as to what  
28 services or support any of the survivors might require at  
29 that point in time?

30 A. What people talked to James Condon about was the  
31 process following the Forde Inquiry and what was The  
32 Salvation Army's response going to be. Issues like - the  
33 Forde Foundation had been established and were the churches  
34 going to contribute; the churches tended to take more an  
35 individual process with people, and that's how that  
36 information came out. So the process developed over that  
37 time and, you know, people - that was the broader context,  
38 as well as the individual circumstances where some people  
39 shared their experience of not feeling that they had been  
40 heard or that the responses were adequate.  
41

42 Q. Just deal with paragraphs 12 and 13, am I right in  
43 understanding this was the situation at the time, that  
44 following the Forde Inquiry, a number of churches  
45 collectively published or made an apology?

46 A. Yes, they - yes, the churches co-signed the apology,  
47 and the criticism from survivors and victims about that was

1 that there hadn't been adequate engagement.

2

3 Q. Yes.

4 A. And that they felt that most churches did not seek to  
5 meet with them, to hear of their experiences firsthand or,  
6 you know, even collectively to understand the impact on  
7 their lives. I suppose people were seeking assurance from  
8 the churches that they had fully read and understood the  
9 Forde Inquiry and its implications, and what were their  
10 responses going to be.

11

12 So there was more criticism of the churches'  
13 engagement around that apology than there was, maybe, of  
14 the Government, in the sense that people understood the  
15 Government took the report of the Forde Inquiry because  
16 they commissioned the inquiry.

17

18 Q. So the reaction of some of the survivors was the sense  
19 that that global "one-size-fits-all" apology really wasn't  
20 sufficient, and as I understand your evidence in  
21 paragraphs 12 and 13, what the survivors were telling then  
22 Divisional Commander Condon was that they wanted a more  
23 individualised process?

24 A. No. I think that the point was not that the global  
25 apology wasn't meaningful. For some people, they would  
26 stand by that those public apologies are important, but the  
27 process of developing the apologies and the way in which it  
28 didn't accommodate a process whereby there was direct  
29 communication between victims and survivors and church  
30 leaders about what they experienced as children and the  
31 impact on their life, you know, at a more overview point,  
32 not so much the individualised process of seeking justice  
33 for what happened to them.

34

35 Q. Could I just ask you to look, then, at the final few  
36 sentences in paragraph 13 where you say:

37

38 *The victims told James Condon they wanted*  
39 *The Salvation Army to implement a process*  
40 *that is "individual" and provided*  
41 *acknowledgment to individuals. They made*  
42 *it clear to James Condon that people wanted*  
43 *more than the general apology that was*  
44 *issued to everyone and a process that was*  
45 *considered.*

46

47 That's your recollection of what was being conveyed in

1 terms of the survivors' wishes at that time? So this is  
2 perhaps late '90s, early 2000s?

3 A. It was an "either/or", though. People wanted - they  
4 weren't saying that - you know, the criticism was of the  
5 process, of how that apology occurred and how the  
6 signatures of the church leaders were co-signatories. It  
7 wasn't an "either/or" statement.

8

9 So people were seeking, you know, from James Condon  
10 what they could do about their own circumstances in talking  
11 to the church and to The Salvation Army about their  
12 experience of being in a Salvation Army home, whereas the  
13 apology following the Forde Inquiry was about, you know,  
14 the overall findings for a population of people. So I just  
15 want to be clear they weren't saying "either/or".

16

17 Q. That's fine. As I said, this is just really to have a  
18 clear understanding of what you say. You would agree,  
19 wouldn't you, looking back over the last 14 years, say, if  
20 we take it from early 2000, that the processes that you've  
21 observed in terms of survivors engaging through the Esther  
22 Centre, and then Lotus Place, with The Salvation Army has  
23 been one very much focused on the individual and engagement  
24 with the individual?

25 A. In some circumstances, yes.

26

27 Q. But for the most part, it's not a process of dealing  
28 with survivors who used the Esther Centre and then Lotus  
29 Place in a collective or group sense at all, is it?

30 A. No.

31

32 Q. Just based on your memory - and I know that's  
33 difficult to ask you to think back 14 years - did you get a  
34 sense whether Commissioner Condon was receptive to what the  
35 survivors were saying in terms of what they were telling  
36 him they felt they needed?

37 A. People's experience of having a conversation and  
38 getting a meeting was significant and people valued that  
39 opportunity and, you know, the personal engagement, respect  
40 and listening that occurred between James and the victims  
41 was respected for that, but they didn't necessarily think,  
42 just because of that, the system changed adequately enough.

43

44 Q. In paragraph 14, you say you recall that he was  
45 welcoming and indicated he would be happy to meet  
46 personally with the victims. Are you aware that he had  
47 quite a number of meetings with survivors during the time

1 that he was the divisional commander?

2 A. Yes, and people who sought those meetings were  
3 appreciative of that. People organised them themselves.  
4 But, again, it's the personal experience of talking to  
5 James Condon as the individual person and the fact that he  
6 did have a position of authority, but it didn't result in  
7 people having more confidence in the overall system of  
8 addressing issues of abuse.

9

10 Q. You would agree, wouldn't you, it couldn't just be on  
11 the shoulders of one person that simply an engagement with  
12 Commissioner Condon would have met all of those wishes of  
13 the survivors?

14 A. No, but I think there are two elements to what people  
15 seek, and that is that they do have, you know, respect of  
16 church leaders, but also that that engagement will inform a  
17 better institutional response.

18

19 Q. Can I come back to paragraph 6, and this is where you  
20 tell the Royal Commission that the role of the advocates -  
21 and I assume these are the advocates connected with the  
22 Esther Trust Project initially and now through Lotus Place;  
23 is that right?

24 A. Yes.

25

26 Q. That the role is set out in (a) through to (h) on the  
27 following page?

28 A. Yes.

29

30 Q. The description of the advocate's role that's set out  
31 there (h) - is anything like that provided by way of a  
32 document to any of the clients of Esther and then later  
33 Lotus Place?

34 A. Yes, we have had brochures.

35

36 Q. And you explained what services will be provided to  
37 the survivors and the limitation of any services that can  
38 be provided?

39 A. Yes.

40

41 Q. You now have a website, do you not, for Lotus Place?

42 A. Yes.

43

44 Q. That website sets out about what services can and may  
45 not be able to be provided to survivors?

46 A. Yes. But the issue around being clear - we don't put  
47 in written form, necessarily, the issues around each of the

1 individual churches, because they change so often, and also  
2 we're not in a position to be clear that those processes  
3 are followed or that the understanding - that we believe  
4 those processes belong to the church. We're not there in  
5 any way to be able to impact on whether the churches do  
6 what they say they're going to do. All we're doing is  
7 trying to support the person in putting forward what they  
8 want.

9  
10 Also, you know, we needed to be very clear in the very  
11 beginning that the issue of impact statements - everyone  
12 has different definitions of what an impact statement is.  
13 Our position has been to put forward in the words of the  
14 person what they'd want to say, and it's not an assessment  
15 of the impact, because we're not psychologists trained to  
16 make those assessments. In some cases, there have been  
17 situations where people have been asked for an impact  
18 statement that reflects an assessment of the impact of  
19 abuse and their experience on their life. That is  
20 different to us supporting a person, in their own words,  
21 talking about what they want to put forward to the church  
22 in the process.

23  
24 Q. But you do say to people that you'll provide them  
25 information about what processes are available. Do you  
26 agree with that?

27 A. We do and we usually qualify it to say that, you know,  
28 this is what we understand at this point in time.  
29 Sometimes there's changes, sometimes it may not exactly  
30 happen the way that it happened last time, depending on the  
31 circumstances and the situation.

32  
33 You know, it's been something that has been unclear at  
34 different milestones, as to whether churches would continue  
35 to do these internal processes following redress, for  
36 example, or - you know, there are a lot of things that  
37 change along the way.

38  
39 Q. You tell the users of Lotus Place that the staff are  
40 trained to "... support and advocate with you if you want  
41 to be linked with police, criminal and civil processes and  
42 internal complaints processes, with religious authorities,  
43 non-government organisations, and government departments  
44 about your time in their care", and that's what you tell  
45 survivors you can do for them?

46 A. That's one of the things that we do, yes.

47

1 Q. It is the case, though, that you would have observed  
2 over time that if the survivors come to use the Lotus Place  
3 facilities, they do rely very heavily on the advocates who  
4 support and, I think you've described it as, walk through  
5 the journey with them of a complaints process?

6 A. Some do, and some are very assertive and are very  
7 confident in their own direction of what they want.  
8 They're not asking or needing direction from us. They're  
9 asking us just to be emotional - to provide some emotional  
10 support. Their clarity around what they want and how they  
11 understand the process from the communication with The  
12 Salvation Army - it varies from person to person.

13  
14 Q. You would agree, wouldn't you, that many of the  
15 survivors rely very heavily on the support of their  
16 advocate at Lotus Place, for example?

17 A. I don't know what you mean by "heavily", but, you  
18 know, they rely on us to do what we say we're going to do  
19 and they - you know, some people were more self-directing  
20 than others.

21  
22 Q. You're aware, aren't you, that over the past 14 years  
23 or so, The Salvation Army has also relied on Esther and  
24 then Lotus Place providing information to the survivors  
25 about the way in which they can engage with The Salvation  
26 Army and how that engagement might occur? Were you aware  
27 of that?

28 A. I don't know what you mean by "relied on" us. You  
29 agreed to work with us to meet - if people were comfortable  
30 meeting at Lotus Place, that they could meet at Lotus  
31 Place. You were very, you know, clear in giving  
32 communication processes and contact people. That was  
33 appreciated.

34  
35 We don't, in any way, try to tell people what your  
36 process is beyond that contact. We don't know what that  
37 process is and, you know, the process of meeting and the  
38 process of communication we're aware of and we - you know,  
39 were working with you in those processes, but I'm not sure  
40 what you mean by rely heavily on us.

41  
42 Q. I'm not asking "rely heavily". That was an earlier  
43 question. But were you aware that The Salvation Army -  
44 perhaps I'll put it this way - has always assumed that if a  
45 survivor approaches it is through the Esther Centre, and  
46 now Lotus Place, that at least on the Lotus Place end, that  
47 the Lotus Place advocates will provide information to the

1 survivors as to --

2 A. We will link them with you and, with you, have them be  
3 inform of the process.

4

5 Q. But you do more than that, don't you? You tell them  
6 what the process is and what the steps will be in that  
7 process if the survivor chooses or wishes to undertake that  
8 process. You'd agree with that?

9 A. Yes, but I suppose we'd always say to people, you  
10 know, it may change. Like, we're not - we don't know  
11 everything. Any situation or individual circumstances  
12 could warrant a change in the process, has been our  
13 experience across the churches.

14

15 Q. Were you here yesterday when Mr Lucas gave his  
16 evidence?

17 A. Yes.

18

19 Q. You heard him say that here are the steps that he  
20 outlined to survivors if --

21 A. During those years, yes.

22

23 Q. That they engaged with him?

24 A. That wasn't always the case.

25

26 Q. But you heard him say that, during the period of time  
27 that he worked, the process was simple and clear and  
28 I think he might have said it was consistent, it was the  
29 same?

30 A. Yes, it was during those four years.

31

32 Q. In what circumstances would a survivor have been told  
33 that, "Well, this might be the process now, but it might  
34 change"?

35 A. In the circumstances of them asking us could we  
36 guarantee anything, and we would say, "No, but we will  
37 follow the integrity of the process. You will meet;  
38 whatever communication happens in the meeting will be  
39 followed through; we will support you following that  
40 through." You know, we believed that it was clear what the  
41 process would be other than, you know, not knowing the time  
42 lines necessarily. But certainly we wouldn't say we  
43 understood the process of how an offer was made or how a  
44 decision about the amount of money, or - you know, those  
45 things were not things that we could speak about. But the  
46 integrity of the communication process and the meeting - in  
47 that period of time, all our advocates felt they understood

1 that that was predictable.

2

3 Q. But I'm suggesting to you that you were not telling  
4 survivors on a regular basis that The Salvation Army  
5 process could change or change without notice, were you?

6 A. I think people constantly - we would never guarantee  
7 anything about change because people --

8

9 Q. I'm not asking you --

10 A. -- certainly ask --

11

12 Q. I am sorry to interrupt. I'm not asking about  
13 guaranteeing about change. I'm simply asking you what  
14 information was provided, and you said, "We might tell them  
15 that it would change." I want to just explore with you,  
16 was that something that survivors were regularly told, that  
17 the process might change?

18 A. It depends on the context. After redress people did  
19 ask whether the process would be the same. As far as we  
20 knew that would be the case. I suppose we would think that  
21 the meeting process in itself could have had negotiated  
22 changes that would be suitable to that personal situation.  
23 We weren't --

24

25 Q. That never happened, did it? You're looking back over  
26 the 14 years: there hasn't been any significant or  
27 material change to the way in which The Salvation Army  
28 officers have interacted directly with any of the  
29 survivors?

30 A. In the 14 years?

31

32 Q. Yes.

33 A. Yes, there's been significant change in the last - in  
34 the period of time that John was referring to, that was a  
35 period where people knew who to contact and there was a  
36 level of predictability about it. I suppose our experience  
37 over the years is that you never know when a situation  
38 might be outside that, but, you know, we certainly weren't  
39 critical of the process, in terms of understanding. In  
40 relation to some other churches, we didn't understand who  
41 the contact people were, you know, it was changing  
42 regularly, so there was a level of predictability while -  
43 during that period of time, but there wasn't always that.

44

45 Q. I was just asking about --

46 A. In the 14 years it wasn't consistently that  
47 predictable.

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Q. I'm only asking about The Salvation Army?  
A. I'm talking about The Salvation Army.

Q. Your Honour I'm mindful of the time.

THE CHAIR: We'll take the short adjournment.

**SHORT ADJOURNMENT**

THE CHAIR: Yes, Mr Beckett.

MR BECKETT: Your Honour, Commissioners we have a witness on standby in Dubbo who is available by audiovisual link. You'll see there's one of the screens in the hearing room over there which has [JH], who will appear. I understand my learned friend is happy to interpose [JH] and we will come back to Ms Walsh after [JH] has given evidence.

THE CHAIR: Ms [JH], it is Justice McClellan. Can you see me and hear me?

THE WITNESS: I certainly can, sir.

THE CHAIR: We need to have you swear to tell the truth. Will you take an oath on the bible or an affirmation?

THE WITNESS: Affirmation, sir.

<[JH] affirmed: [12.07pm]

**<EXAMINATION BY MR BECKETT:**

MR BECKETT: Q. Ms [JH], as I understand you're aware, we are referring to you by a pseudonym and that pseudonym is "[JH]". I understand that you've given both your full name and your address to the Royal Commission; is that right?

A. I have, sir.

Q. And you've made a statement dated 11 March 2014; is that right?

A. I did, sir.

Q. Have you had a chance to review that document?

A. A few times, sir.

1 Q. Is it true and correct, to the best of your knowledge?  
2 A. Every word of it, sir.

3  
4 MR BECKETT: I tender that statement.

5  
6 THE CHAIR: It will become exhibit 10-11.

7  
8 **EXHIBIT #10-11 STATEMENT OF [JH] DATED 11/03/2014**

9  
10 THE CHAIR: Where do we find it, Mr Beckett?

11  
12 MR BECKETT: Tab 19 of volume 2. It is the tab after  
13 Ms Walsh.

14  
15 THE CHAIR: Thank you.

16  
17 MR BECKETT: Q. Just before we begin, first of all, are  
18 you able to hear me?

19 A. Pardon, sir?

20  
21 Q. Are you able to hear me?

22 A. Oh, yes, sir.

23  
24 Q. As you know, there are a number of parts of your  
25 statement that have been redacted, and so I'll refer to,  
26 for example, the corps that you were a member as "the  
27 central western corps" and the town in which the corps was  
28 was "a central western town"; do you understand that?

29 A. Yes, sir.

30  
31 Q. There will be some parts of your statement that won't  
32 be read, but they will be part of the evidence before the  
33 Royal Commission. When we come to those I'll indicate  
34 that. Perhaps we can begin by you reading from paragraph 3  
35 through to paragraph 14 of your statement.

36 A. Yes, sir. Leaving out the town?

37  
38 Q. Yes.

39 A. Thank you. "In 1989, my husband and I lived in the  
40 area with our three sons and our daughter. We all attended  
41 The Salvation Army Corps regularly, including every Sunday,  
42 and were [we] were committed to the church. I was a Sunday  
43 School teacher at the Corps, and supported other people  
44 involved in the Corps in various ways.

45  
46 In around January or February 1989, Colin Haggart and  
47 his wife, Kerry, were transferred to this place from the

1 Lidcombe Corps and became the officers-in-charge of this  
2 Corps. One the Haggars became involved in the Corps, we  
3 got to know them in the context of the Corps' work,  
4 including in the running of various Corps activities. For  
5 example, I recall bible studies being conducted by  
6 Colin Haggar, including some that were held on our  
7 property.  
8

9 I also recall receiving letters from Colin Haggar,  
10 thanking my husband and I for our work with the 1989  
11 Corps Camp and the 1989 Red Shield Appeal."  
12

13 Q. We can see that you have annexed both of those to  
14 your statement. Could we go on to the next paragraph,  
15 please?

16 A. "April 1989 from Colin Haggar to my husband and me and  
17 a copy of a letter dated 1 June 1989 from Colin Haggar to  
18 my husband and me.  
19

20 Colin Haggar also wrote directly to my daughter after  
21 her attendance at the Mercy Seat, which is an event for  
22 children at which they ask Jesus into their lives.  
23

24 Our family regularly saw Colin and Kerry Haggar  
25 because I worked in the [REDACTED] in town, which is the  
26 [REDACTED]. The [REDACTED] was attached to the Citadel  
27 where Colin and Kerry had their offices, and where they  
28 worked on most days. Most school days, my daughter would  
29 come to visit me in [REDACTED] after she finished school.  
30 During these visits, it would not be unusual for her to see  
31 Colin Haggar. I recall seeing her having conversations  
32 with Colin Haggar during these visits.  
33

34 In 1989, I cannot clearly recall which month it was  
35 but it was warm, I received a telephone call from  
36 Colin Haggar. Colin had asked if he could come out to our  
37 property and talk to my husband and me. He did not say  
38 what he wanted to speak to us about. We said that he was  
39 welcome to come and see us.  
40

41 The same day, Colin Haggar visited my husband and me  
42 at our property. He attended on his own, in civilian  
43 clothes. When he came inside the house, the three of us -  
44 me, my husband and Colin Haggar, sat down in the living  
45 room. Colin said he had something to tell us and asked if  
46 he could lead us in a prayer first. He prayed before we  
47 spoke, not about forgiving what he did because at that time

1 we did not know, but he led us in a prayer about  
2 forgiveness and acceptance of God's love. I recall Colin  
3 saying to us 'We're all Christians, aren't we?'

4  
5 After the prayer, Colin Haggart told us both that he  
6 had been abusing our daughter, who was eight or nine years  
7 old at the time. I remember feeling frozen and numb and I  
8 just sat there, staring at Colin.

9  
10 I remember my husband asking Colin where the abuse had  
11 occurred and that Colin had responded that it had taken  
12 place in his office in the Citadel. I also recall my  
13 husband also asking Colin what exactly he had done to our  
14 daughter. Colin said something that I still recall to this  
15 day. He said, 'Don't worry, it wasn't that serious.  
16 I only fingered her.'

17  
18 My husband and I just sat there in disbelief. For a  
19 moment my husband shifted forward in his seat and I thought  
20 he was going to attack Colin, but he didn't.

21  
22 I also remember Colin saying to us during his visit to  
23 our home that if he felt 'it' rising in him he would tell  
24 us so we could get our daughter out of the way. I took  
25 'it' to mean a desire to sexually abuse my daughter. Colin  
26 also disclosed to us that he grew up around Kings Cross,  
27 and used to go up the road to where he would put his money  
28 in the slot machines outside some of the shops and watch  
29 pornography to get his thrills.

30  
31 Colin told us that he was going to talk to his  
32 superiors about the abuse of our daughter."

33  
34 Q. Thank you for reading that. I wonder if you could  
35 pick it up from paragraph 16 on the next page.

36 A. "As he got up to leave, Colin said casually that he  
37 was glad that he had come out to speak to us, and that 'now  
38 I can go out and save more souls.' I remember looking at  
39 my husband, and thinking, 'Oh, poor souls.'

40  
41 I distinctly remember Colin that day, turning up in  
42 very short shorts, not in uniform. I found this offensive  
43 because he had had come out to tell my husband and I what  
44 he, as an officer, had done to our daughter. Therefore  
45 I feel that he should have been in his uniform. I feel  
46 that he was trying to come to us as a 'civilian' and not as  
47 an officer of The Salvation Army.

1  
2           Although Colin had said that he was going to report  
3 the abuse to his superiors himself, after he left, my  
4 husband said to me that he was going to call and report the  
5 abuse to The Salvation Army Bathurst Head Office. My  
6 husband did call the Bathurst office either that day or the  
7 following day, and he asked that someone come to speak to  
8 us as we wanted to talk to them about Colin Haggar. I do  
9 not know whether he told them at the time that the reason  
10 we wanted a visit was to discuss Colin Haggar's abuse of  
11 our daughter.  
12

13           Within a couple of days, two officers from Bathurst  
14 Head Office came out to see us. I do not recall the names  
15 of the officers who came to visit us, but I recall they  
16 were of high rank because of the uniforms they wore, and  
17 because I recall thinking when they were introduced that  
18 their titles were senior. We met at the [REDACTED].  
19 I used to work in the [REDACTED] as part of my work with  
20 The Salvation Army Corps. It was adjacent to The Salvation  
21 Army hall.  
22

23           The officers led my husband and me up into the  
24 adjacent hall where they sat us down and they asked if they  
25 could tape our discussion. My husband agreed to this  
26 request. The officers said, 'We will start in prayer' and  
27 I said, 'No! I will start in prayer then can you have your  
28 prayer.' I was quite angry that they were sitting there,  
29 in uniform, with their hats and bibles next to them.  
30 I felt belittled, and like they were looking down at us.  
31 I recall praying for the truth to come out during the  
32 meeting that was to follow.  
33

34           After the prayer, the officers asked my husband and me  
35 a lot of questions. I cannot clearly remember what they  
36 asked, but they asked about our role in the Corps, as well  
37 as the discussion we had with Colin Haggar in the days  
38 prior.  
39

40           After my husband and I had told the officers what  
41 Colin Haggar had said to us about his sexual abuse of our  
42 daughter, I distinctly recall the officers saying  
43 'Captain Haggar is in uniform and a soldier of the army,  
44 so, I ask you, who are we to believe? A man in uniform or  
45 just adherents - you are just workers - of the church.'"  
46

47           Q.    Can I just stop you there and ask you about that

1 paragraph, Ms [JH].

2 A. Yes, sir.

3

4 Q. Did you form an opinion, when you were having that  
5 meeting with the officers from Bathurst, as to whether  
6 Captain Haggar had told them of the abuse of your daughter?

7 A. I really don't know, sir, if he told them about it and  
8 I really don't think he did, at that stage. It was because  
9 of our phone call to Bathurst that brought them over.

10

11 Q. At that stage, were you aware or can you recall  
12 whether those officers had spoken with Captain Haggar at  
13 all?

14 A. I don't know, sir. All I know is that Mrs Haggar was  
15 down the other side of the citadel, but Mr Haggar was not.

16

17 Q. Please continue to read 23 and 24 of your statement?

18 A. "I was shattered. My husband and I had given  
19 everything to the Church. I felt like they didn't want to  
20 believe us, and felt that they were going to protect Colin.  
21 As a result of that statement, I was concerned that  
22 The Salvation Army were not going to pursue the complaint  
23 against Haggar and were going to try to put a lid on the  
24 whole thing.

25

26 Notwithstanding my concern that the officers may try  
27 to protect Colin, I believed the officers who visited us  
28 were worried that we might report the matter to the police.  
29 I recall one of the officers saying to my husband and me  
30 during the meeting words to the effect, 'If you don't go to  
31 the police, we will work on it from our end.' I took that  
32 to mean that they would discipline Colin Haggar internally  
33 and remove him from uniform. I also had some hope that  
34 they would report the matter to the police. On the basis  
35 of the officers' assurance, my husband and I agreed that we  
36 would not report Colin Haggar's abuse to our daughter to  
37 the police."

38

39 Q. Ms [JH], can I just ask you about paragraph 24. What  
40 do you recall the officers saying about the matter of  
41 informing the police about what Mr Haggar had done to your  
42 daughter?

43 A. Sir, I don't even think that those officers knew -  
44 yes, I take that back, because we had told them up at that  
45 meeting what he had done, but whether or not Colin Haggar  
46 had told them before that, and I actually read into that,  
47 when they said, "Who do we believe? A man in uniform or

1 Just adherents." So I really can't say that  
2 Colin Haggart had spoken to the officers and told them what  
3 he had done.  
4

5 Q. I just want to direct your mind to the issue of  
6 reporting to the police. You say in your statement that  
7 they said to you words to the effect of, "If you don't go  
8 to the police, we will work on it from our end." And you  
9 have an interpretation of that phrase in that paragraph, in  
10 other words, that it would include both internal discipline  
11 and reporting to the police. I wonder if you can remember  
12 what they said they would do about reporting the matter to  
13 the police?

14 A. They didn't say anything, sir. They just said if we  
15 left it in their hands, they would work on it from their  
16 end.  
17

18 Q. Was there any indication of a particular police  
19 officer or police station that they intended to report the  
20 matter to?

21 A. No, nothing, sir. Sir, they were The Salvation Army.  
22 This was an organisation that even I trusted, I believed  
23 in, so for me to not believe that they would do anything  
24 about it - I just believed they would.  
25

26 Q. Then, having left the place where the interview with  
27 the senior officers occurred, you went down to The  
28 Salvation Army premises, and you set out below that there  
29 was an intellectually impaired woman who came into the  
30 [REDACTED]; is that right?

31 A. Yes, sir.  
32

33 Q. And you say in your statement:

34  
35 *As she came in, she yelled out "I'm a good*  
36 *girl. I'm a good girl. The Captain was*  
37 *showing me how to pray with our hands up my*  
38 *legs and holding on to my breasts, but I'm*  
39 *a good girl."*  
40

41 Is that what happened?

42 A. Oh, yes, sir, exactly what happened, and the only  
43 reason it sticks in my mind is that I thought, thank God,  
44 they have to believe us now.  
45

46 Q. And how many male captains were there at the corps  
47 that you were a member of at that time?

1 A. Two, sir, two came over from Bathurst.  
2  
3 Q. But the reference to a captain by the intellectually  
4 impaired woman who came into The Salvation Army premises,  
5 you came to a conclusion as to who she was referring to; is  
6 that right?  
7 A. Oh, yes, sir.  
8  
9 Q. And who did you estimate that person to be?  
10 A. I believed it was Colin Haggar because as soon as she  
11 said that, [REDACTED].  
12  
13 Q. I wonder if you could read paragraphs 26 through to  
14 28, please.  
15 A. 26 to 28, sir?  
16  
17 Q. That's right?  
18 A. "I do (sic) recall receiving anything from  
19 The Salvation Army following the meeting. We did not even  
20 receive an acknowledgment that the meeting had taken  
21 place".  
22  
23 Q. Sorry, I think you said "I do recall" but your  
24 statement says "I do not recall"?  
25 A. Yes, sorry, sir.  
26  
27 Q. Which is correct? Maybe you should read that first  
28 sentence again please?  
29 A. "I do recall receiving" - no, sir, it says, "I do not  
30 recall", but I don't even have to read this. I don't ever  
31 recall. It never came to us. There was no letter that  
32 said, "We acknowledge that we were over there." No letter  
33 of "We are sorry that things happened and we'll get on to  
34 it." Sorry, sir.  
35  
36 Q. Please continue. Read 27 and 28.  
37 A. "I recall that some time after we found out about the  
38 abuse, but before the Haggars were transferred, my husband  
39 took me and the children on a family trip to North Haven.  
40 The Haggars knew we were going because we told them we  
41 wouldn't be able to open the [REDACTED] for the army, and  
42 they were still running the Corps at that time. I couldn't  
43 believe it when the Haggars turned up at our motel. Colin  
44 said that they thought they'd drop in and say hello because  
45 they were going past. The impact of him turning up like  
46 that had a huge impact on my daughter, and started her on  
47 another downhill slide.

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On 18 February 1990 my husband and I received a letter from Colin and Kerry Haggar which advised us that they were leaving this place to return to Lidcombe."

Q. I'll just stop you there. I wonder if, for those in the hearing room, tender bundle 227A could be brought up on the screen. Your Honour and Commissioners, I understand this document has not formally been tendered. It has been placed in each of the tender bundles that your Honour and Commissioners have and it's been served on the parties some days ago. I think I should formally tender that.

THE CHAIR: If it is in the tender bundle it is part of the exhibit.

MR BECKETT: It has been added to the tender bundle in the past --

THE CHAIR: We'll take it as part of the exhibit.

MR BECKETT: Thank you, your Honour.

Q. [JH], the letter you've referred to at paragraph 28 of your statement, is that a letter - I think you have a copy of it - dated Sunday, 18 February 1990, from Colin Haggar and his wife?

A. I do, sir.

Q. I'll just read a part of that statement. It stays:

*It is with real sadness --*

I should go back a step. It is addressed to, "All soldiers and friends" of the corps that you were a member of; that's right, isn't it?

A. Yes.

Q. It says:

*Dear friends, it is with real sadness that we have to inform you that we shall be leaving [the central west town] next Thursday, the 22nd February.*

There are two new officers who will be taking up their appointment "this Thursday".

1  
2           *We know that this news is sudden but we're*  
3           *also assured it is God's will for our*  
4           *family. We're taking a break from the*  
5           *duties of officership so we can spend time*  
6           *on our own spiritual growth and thus*  
7           *hopefully be of more use to him when we*  
8           *resume our active service. We have*  
9           *honestly enjoyed our stay in [the town] and*  
10          *will remember the Corps in our prayers. We*  
11          *trust that this move will not be too*  
12          *disruptive to the life of the Corps and to*  
13          *any of you personally.*

14  
15          Is this the document that you're referring to in your  
16          statement, [JH]?

17          A.    Yes, sir.

18  
19          Q.    What was your reaction when you received this letter?

20          A.    Shattered.

21  
22          Q.    Why?

23          A.    Well, he was just being moved. That there was - he  
24          was just being moved, and through one of the phone calls  
25          that I got from him, he said, "Guess what, we're being  
26          moved to a little house attached to Lidcombe Corps." That  
27          is shattering.

28  
29          Q.    First of all, did you receive any correspondence or  
30          telephone calls from the officers from Bathurst about what  
31          was happening with your complaint about Mr Haggar?

32          A.    No. We had nothing. We had nothing, sir.

33  
34          Q.    So this letter was the first that you knew of the  
35          Haggars leaving the town?

36          A.    Yes, sir.

37  
38          Q.    Did you, after that date, receive any correspondence  
39          from senior officers of The Salvation Army, whether at the  
40          corps or from Territorial Headquarters, about any  
41          disciplining of Mr Haggar?

42          A.    No, sir. We were just sent - and I have it in front  
43          of me - "Guidelines for Salvationists. Pornography" and  
44          that came from head office.

45  
46          Q.    When was that sent to you?

47          A.    I really can't say, sir, because there's no date on

1 it, but it was just after the Haggars left.  
2  
3 Q. What was the context of that being sent to you?  
4 A. Would you like me to read it out?  
5  
6 Q. No, there's no need to read it out. First of all, do  
7 you know who sent it to you?  
8 A. Well, it came from head office - whether it came from  
9 Bathurst or the head office, the big head office, no,  
10 I don't really know. And it has no date on it. There was  
11 no date stamped on it.  
12  
13 Q. When it was sent to you, was it in relation to  
14 Mr Haggar?  
15 A. Yes, sir.  
16  
17 Q. What made you think it was in connection with his  
18 matter?  
19 A. Because it was right after that they were moved from  
20 our corps that we received this statement.  
21  
22 Q. In the period - and I'll take up a slightly wider  
23 period - from the time that Captain Haggar, as then was, at  
24 the end of 1989 told you of the abuse of your daughter and  
25 up to May of 1990, were you told anything about the  
26 disciplinary process that he was taken through?  
27 A. Not a thing, sir.  
28  
29 THE CHAIR: Do we have a copy of that letter which she  
30 has?  
31  
32 MR BECKETT: It should be on the screen.  
33  
34 THE CHAIR: The one she is referring to now, coming from  
35 the head office.  
36  
37 MR BECKETT: That's the first time I've heard of that  
38 particular letter.  
39  
40 THE CHAIR: I think we would like to hear the content of  
41 it.  
42  
43 THE WITNESS: It was sent sir, it was sent to Vanessa.  
44  
45 MR BECKETT: I'll have some searches made for that  
46 particular document. It is not annexed to statement, as  
47 I understood it.

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THE CHAIR: Q. Who is it actually addressed to, [JH]?  
A. It just says "Guidelines for Salvationists" and then under that, sir, it just says "Pornography", so it is not addressed to anyone, it is just --

Q. It is a circular-type document. Did it come to you with a letter? How did it come to you?  
A. No, sir, it came just as is. No letter, sir.

Q. It turned up in the post, did it?  
A. I don't know whether we were handed it or if it came in the post, sir.

THE CHAIR: I see. Yes, thank you.

MR BECKETT: Q. [JH], the Royal Commission has some documentation that indicates in February of 1990 the Officers Review Board sat and determined, or made a recommendation, that Captain Haggar be dismissed as an officer of The Salvation Army and that that recommendation was accepted. Were you aware in that period, between December 1989 and May of 1990, that that had occurred?

A. Only through phone calls that he'd done to our home, sir.

Q. I'll come to those phone calls in a moment. Was anybody from Bathurst or from Territorial Headquarters in touch with you about the dismissal of Captain Haggar?  
A. No, sir, it was just silence.

Q. There is some evidence available to the Royal Commission that Captain Haggar and another senior officer of The Salvation Army went to a police station and reported the abuse of your daughter. Were you ever told that by senior officers of The Salvation Army?  
A. No, sir, and they would have got back to us, I'm quite sure, if they had.

Q. Did you have any conversations with any police officer, whether in that town or anywhere else in New South Wales, about the abuse of your daughter?  
A. No, sir.

Q. In that period, the end of 1989 through to May 1990, was any counselling offered to you or your daughter by The

1 Salvation Army?

2 A. No, sir.

3

4 Q. After the officers from Bathurst came and visited you  
5 and you gave an account of that meeting at the premises in  
6 town, was there any further contact, whether in 1990 or  
7 otherwise, between members of The Salvation Army and you or  
8 your husband or your daughter?

9 A. No, sir. You see, we stayed in the Corps, so we would  
10 have - we met the new officers as they came in and that's  
11 the only communication we had, but they didn't know what  
12 was going on.

13

14 Q. I wonder if you could read paragraph 29, please?

15 A. "I recall that soon after the Haggars had moved from  
16 [REDACTED] to Lidcombe, Colin Haggar began contacting me  
17 occasionally by telephone.

18

19 (a) During the first telephone call, Colin told me  
20 that he and his wife had 'come out of uniform' for a little  
21 while but that the army had settled them into the army  
22 house next to the Lidcombe church. I thought he had a hide  
23 to be calling me, as if I'd care what he was doing. I was  
24 very distressed as a result of the telephone call.

25

26 (b) Perhaps two or three months later, I received  
27 another phone call from Colin. He said he was coming to  
28 [REDACTED] and would like to drop in and see us and see how  
29 [JI] was. It was unbelievable. It was like every time he  
30 contacted us, I was getting a hit. I began experiencing  
31 panic attacks and had a breakdown.

32

33 (c) I recall another phone call in late 1992 from  
34 Colin Haggar when he told me that the army had allowed him  
35 and his wife back into the fold and back into uniform.  
36 I couldn't believe it. He also told me during the  
37 conversation that he and Kerry were looking after an aged  
38 care place. I felt sick hearing this, knowing what he  
39 could do. I believed he picked on people that he knew he  
40 could control - the younger ones, and the older ones or  
41 other vulnerable people.

42

43 (d) I also recalled receiving a call from Colin Haggar  
44 telling me that he and his wife had been promoted to the  
45 rank of major."

46

47 Q. I wonder if you could just stop there. I want to ask

1 you particularly about paragraph (b), where you said you  
2 received a phone call from Captain Haggar and he said he  
3 was coming to the towns concerned. Do you remember that  
4 phone call?

5 A. I remember him saying that they were driving through  
6 or he was going to go through and he'd stop and see us and  
7 see how my daughter was going.

8

9 Q. You've been shown a document. It's tab 231 in the  
10 tender bundle. I wonder if that could come up, please.  
11 The Royal Commission's been provided with a document from  
12 Field Secretary Schoupp, S-C-H-O-U-P-P as I understand it,  
13 dated 8 May 1990. [JH], you've seen this document now,  
14 haven't you?

15 A. Yes, sir, I have.

16

17 Q. And you'll see that it says that he received a call  
18 from you telling him that Captain Haggar had suggested  
19 coming back to town and revealing all to the police in  
20 order that he might be charged and placed on a bond. Do  
21 you see that?

22 A. I do, sir.

23

24 Q. What do you remember about this phone call?

25 A. Let me put it this way, sir. From the time that  
26 Colin Haggar left to this date, I would have been at that  
27 stage in the deepest of my breakdown and, reading this,  
28 I would - I honestly have to say that, for a start, there's  
29 no way in the world that I would forgive the unforgivable  
30 and also the other thing that I had said, "Don't dare do  
31 that", that my husband had actually instructed that,  
32 something about "Don't dare do that." Now, I cannot recall  
33 and I still say I didn't make that phone call, but, sir, if  
34 I was in the deepest of despair, I read into that that he  
35 may - they may have rang me and maybe left a message on my  
36 answering machine. I rang them back, but in that despair  
37 it wasn't me that was talking. It was a scream for help.

38

39 Q. Perhaps I should go back to your account of the  
40 telephone call. You say you received a call from  
41 Captain Haggar and he said he was coming and would like to  
42 drop in and see you. What was your main concern? How did  
43 you respond to him wanting to come and visit you?

44 A. I can only recall thinking, "I want to get off this  
45 phone. I want to get off this phone," and at that stage,  
46 then, that was when we would have kept our eyes on my  
47 daughter 24/7 just in case he passed through and he saw her

1 maybe at the school.  
2  
3 Q. Maybe I'll put it directly. Did you want to see him?  
4 A. No.  
5  
6 Q. Did your husband want to see him?  
7 A. No, sir.  
8  
9 Q. Did you want him to meet with your daughter?  
10 A. No, sir.  
11  
12 Q. Coming back to the memo of 8 May 1990, are you able to  
13 assist us with what you meant by saying, "Don't dare do  
14 that"?  
15 A. I don't even recall that phone call, sir. That's what  
16 I said. At that stage, from the time he left to the time  
17 this phone call was supposedly done, I would have been in a  
18 breakdown that you wouldn't believe.  
19  
20 Q. Yes. There are two possibilities that I'd like to put  
21 to you. First of all, the possibilities are that the  
22 "Don't dare do that" refers to coming back to the town, or  
23 it may refer to "Don't dare report the matter to the  
24 police." Are you able to assist us at all with which of  
25 those it may have been?  
26 A. No, because I do not - I still have to say I didn't do  
27 the phone call and if I did, it was the other side of me  
28 that was in this deep depression and that would have been a  
29 call of help.  
30  
31 Q. What did you understand, at about the time of that  
32 phone call, was going to happen with reporting to police?  
33 A. I don't recall that phone call, sir, so I can't give  
34 you an answer to that.  
35  
36 Q. After the officers from Bathurst came to you and you  
37 spoke with them about various matters, including not going  
38 to the police, do I take it that by the time this phone  
39 call comes some months later and you appear not to have  
40 heard anything further about going to the police, did you  
41 assume one way or another that the matter was going to be  
42 reported to the police or not reported to the police? Are  
43 you able to assist us there?  
44 A. I would have assumed that they were going to report  
45 it, but then again, I was inside myself and I couldn't get  
46 out, if you understand that, sir. I was in such - I was in  
47 such a mental breakdown that I was trying to keep myself

1 alive inside and I just couldn't get out of my head.

2

3 Q. Madam, come to paragraph 30 of your statement then.  
4 You've annexed a letter that was sent from Captain Haggar  
5 to you at JH4 of your statement. I wonder if you could  
6 just turn to that letter. It is the last page of your  
7 statement.

8 A. The last page, sir? Yes, just - is this the letter  
9 that they sent to my husband and I?

10

11 Q. Yes. It's been redacted at the top, but it says - the  
12 reaction is of your husband's name and then it's addressed  
13 to you.

14 A. Yes, sir. Well, I'll read it out --

15

16 Q. That's all right. We have a copy and we're able to  
17 look at it on the screen, so there's no need to read it  
18 out.

19 A. Thank you, sir.

20

21 Q. I see from your statement that you say:

22

23 *I could not believe what Colin had written*  
24 *in the letter, and I thought a lot of it*  
25 *was bull. My handwritten notes are on the*  
26 *letter.*

27

28 And we see the word "bull" twice on that letter?

29 A. Yes, sir.

30

31 Q. I wanted to ask you about the first of those.  
32 Captain Haggar, as he then was:

33

34 *I know that you thought I shouldn't have*  
35 *told the Army but I was doing what*  
36 *I believe the Lord wanted me to.*

37

38 And you say "bull" to that, it appears; is that right?

39 A. Yes, sir.

40

41 Q. In your words, why did you say that?

42 A. Because there's no way in the world that we would have  
43 said to him not to go to the police or be charged.

44

45 Q. What about telling the army?

46 A. No, because we called, my husband called the army,  
47 rather, that afternoon or the next day for them to come

1 over and see us and this letter was done a lot later on,  
2 two years after.

3

4 Q. If we go to the end of that statement, you'll see  
5 there's some comments there about Captain Haggar wanting to  
6 come back to the army and seeking re-admission and it had  
7 yet to be determined but he was hopeful and do you see the  
8 last paragraph it says:

9

10 *Thank you for your forgiveness and your*  
11 *friendship. I do hope that our friendship*  
12 *will grow for years to come.*

13

14 And there's an arrow and the word "bull". Why did you  
15 write that, please?

16 A. Because that was a lot of bull, sir.

17

18 Q. What --

19 A. Because we were - the forgiveness and the friendship,  
20 no, no way. How can you forgive and stay friends with  
21 someone who has just done this terrible thing to your  
22 little daughter. It's a lot of bull.

23

24 Q. Can I ask you when did you write those words on to the  
25 letter?

26 A. When we got the letter, sir.

27

28 Q. Madam, I wonder if we can return to paragraph 32 and  
29 if you could just read 32 down to 35 of your statement,  
30 about the impact on your family?

31 A. Yes, sir. "The impact of the sexual abuse against our  
32 daughter had a devastating impact on my family.

33

34 Although I am not sure exactly when the sexual abuse  
35 of my daughter began, I recall that in 1989 my daughter  
36 started to pick at her face and arms. I have photographs  
37 of her prior to 1989 and after and you can see by looking  
38 at them that she had started to damage herself. She also  
39 became much more withdrawn and quiet after the abuse.  
40 I blamed myself for not knowing or being there for her.

41

42 I remember that after the abuse my daughter's school  
43 reports started to say that she was a 'very quiet girl'.  
44 She has always been a gentle soul, but she became so much  
45 more quiet and withdrawn before the abuse. I remember that  
46 before the abuse, my daughter was a strong, capable girl.  
47 She was able to respond and cope with a range of situations

1 and would take on challenges. Her school reports used to  
2 say how good she was at communicating. After the abuse,  
3 whenever she became upset or distressed, my daughter would  
4 cope by picking and digging at herself to the point that  
5 there were holes in her face and arms that would bleed and  
6 scab. She still carries scars. She started to remove  
7 herself from the family and the world, by going into her  
8 room, curling up in a ball and refusing to come out or talk  
9 to anyone. She also started biting her nails terribly.  
10 I remember that I suggested taking her to see a doctor  
11 several times and she always refused. I remember one time  
12 in particular, she was a teenager, and had locked herself  
13 in her room. When I went in and said that perhaps we  
14 should go to talk to someone, to a doctor, she screamed at  
15 me to 'Get out! I don't want to go to a doctor! I don't  
16 want to talk to anybody. I don't want anybody to touch  
17 me!' My daughter did not undertake any counselling or  
18 treatment while she was living at home.

19  
20 My daughter left home in her early 20s, after she met  
21 her current partner.

22  
23 I also had a nervous breakdown after finding out my  
24 child had been sexually abused. While on that trip to  
25 North Haven I remember lying in bed all day watching the TV  
26 because I just couldn't get up. My husband eventually  
27 talked me into going for a walk up to the break wall.  
28 I remember counting every step because I knew, I just knew  
29 that if I stopped counting I would die right then. When we  
30 got back to [REDACTED] I went back to opening the  
31 [REDACTED] up. I was so grateful for anyone that came  
32 along and offered to help out because it meant I could  
33 stand around the corner of our little tea room that my  
34 husband built. I used to lean there against the wall and  
35 hold my breath, and just hope the terrible feelings would  
36 go away."

37  
38 Q. JH, can I just stop you there? The name of the town,  
39 there is a non-publication order with respect to your  
40 evidence and it has been removed from the screen as we  
41 speak. If you could please refer to it as "the town "or  
42 "the Central West town", or something like that. Please  
43 continue.

44 A. "I can only describe those feelings as being a  
45 tingling and sizzling sensation that travelled up my body.  
46 I felt like if the feeling reached my head I would die.  
47 I ended up living on Valium and years later I still had the

1 Valium in my house just in case I felt that I needed it.  
2 I lived for night time when I could curl up and make the  
3 world go away. My husband ended up doing a lot of the  
4 cooking and looking after the family." Sorry. "Having a  
5 breakdown is terrible because when you think you are OK,  
6 you just wait and wait every day waiting to see if it comes  
7 back and this went on for years.

8  
9 My poor daughter, I was a mess and my husband had to  
10 be there for her. But all this time I still opened up the  
11 [REDACTED] and had help from people and they knew nothing  
12 of what was happening in my home. They didn't know about  
13 my breakdown, or about the fact that the Captain of the  
14 Corps had sexually abused my child. My husband and I kept  
15 giving back to the Church, kept being good people while  
16 inside our lives were a mess.

17  
18 By May 1991, we were at breaking point. I was still  
19 going through a massive breakdown. We severed our ties  
20 with The Salvation Army.

21  
22 I did not hear anything from The Salvation Army about  
23 Colin Haggar's sexual abuse of my daughter until very  
24 recently. I received a telephone call from John Greville  
25 from The Salvation Army's Professional Standards Office  
26 around mid-February 2014. He said that he wanted to come  
27 out to my home to meet with me to discuss Colin Haggar.  
28 I couldn't believe it. It was completely out of the blue.

29  
30 After speaking with John on the phone that day, I went  
31 on to the Internet and searched for information about the  
32 Haggars."

33  
34 Q. I'll just stop you there. I understand you found out  
35 some information about by then Lieutenant-Colonel  
36 Colin Haggar and his wife; is that right?

37 A. Yes, sir.

38  
39 Q. And your reaction, if you could just go to  
40 paragraph 43 and read from there?

41 A. "I felt sick in my soul when I read this because  
42 I felt that The Salvation Army had placed Mrs Haggar and  
43 Colin in various positions over the years that was  
44 effectively handing Colin Haggar vulnerable people on a  
45 plate so he could nibble on them whenever he wanted to.

46  
47 On the 25 February 2014, about a week after the call,

1 John Greville visited my home for about an hour and a half  
2 with Lyn Beasy. I understand that Lyn is a consultant  
3 psychologist for officer wellbeing from The Salvation Army.  
4 I told Mr Greville and Ms Beasy the whole story as set out  
5 in my statement above.  
6

7 I don't know why Mr Greville and Ms Beasy were raising  
8 the Haggar matter at that time after having heard nothing  
9 from The Salvation Army for all those years, but I did say  
10 to them that I had too much on my plate at the moment and  
11 gave them the example of having to get my car repaired.  
12 I told them that I was trying to find \$2,900 to fix it  
13 after it had been damaged in a storm. John Greville  
14 insisted on paying for the repairs, to which I responded  
15 'No'" - and it's in an email - "'No, it's my problem and  
16 I'll deal with it.'" He insisted, and told me to call the  
17 smash repair shop and tell them to invoice him. I told him  
18 I would do no such thing because it's a small town and if  
19 he wanted to contact them it was a matter for him.  
20 John Greville subsequently contacted the smash repairer and  
21 organised to pay for the repairs to my car. I do not know  
22 why John Greville paid for the repairs. He insisted on  
23 doing so, saying words to the effect of 'It is the least we  
24 can do to help you.' I was grateful that he did pay for  
25 it, but did not expect or ask for the financial assistance.  
26 I still do not know why the army insisted on paying for  
27 these repairs."  
28

29 Q. I'll just stop you there, [JH]. As part of the visit  
30 with Mr Greville and Ms Beasy, I understand that  
31 Mr Greville offered you counselling; is that right?

32 A. Yes, sir.  
33

34 Q. And did you accept that offer?

35 A. Yes, sir.  
36

37 Q. Who will pay for the counselling?

38 A. Salvation Army, sir.  
39

40 Q. Did they indicate the number of sessions that would be  
41 paid for?

42 A. No, sir. He just said as long as it takes.  
43

44 Q. Has that counselling commenced?

45 A. Yes, sir.  
46

47 Q. Just to move on then, could you read paragraph 47,

1 please?  
2 A. "Toward the end of the meeting, I recall John Greville  
3 saying to me words to the effect of 'You realise you are  
4 due compensation '. I said to him, 'Compensation is  
5 nothing. It's my daughter that deserves compensation from  
6 what Haggar did to her.'"  
7  
8 Q. Was there any discussion, either in that meeting or  
9 subsequently, about any process for the determination of  
10 compensation?  
11 A. No, sir.  
12  
13 Q. Have you received any correspondence from  
14 The Salvation Army about that particular issue?  
15 A. Only emails from John and all of my emails I forwarded  
16 straight to Vanessa, sir.  
17  
18 Q. Thank you. I wonder if you could then read out  
19 finally paragraph 49?  
20 A. "My understanding about what happened to Colin Haggar  
21 after he admitted to abusing my daughter was that he was  
22 dismissed and removed from officership. I expected that  
23 this would have been for good. I do not believe that he  
24 should ever have been allowed to be readmitted to  
25 The Salvation Army. I also believe he should have been  
26 reported to the police by The Salvation Army, and  
27 subsequently charged for abusing my daughter. After the  
28 meeting with the officers from Bathurst, I truly believed  
29 that Colin Haggar would be out of uniform for good, and  
30 that his superiors would subsequently take him to the  
31 police. I believed this because here were these two  
32 officers, Christian men from The Salvation Army. I didn't  
33 think they would risk damage to their good name, so  
34 I trusted them."  
35  
36 Q. Can I ask you just a question with respect to that  
37 paragraph? When did you first come to understand that  
38 Colin Haggar had been dismissed from officership?  
39 A. When he sent us the letter, sir, which you have a copy  
40 of.  
41  
42 Q. Is that --  
43 A. Stating that they were being moved to Lidcombe into a  
44 little house adjoining there and they were out of uniform  
45 for a while.  
46  
47 Q. Thank you. And then you say at paragraph 50:

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*I have not reported the matter to the police because I thought it was all over.*

A. Yes, sir.

Q.

*At the time, my husband and I agreed that we wouldn't report to police because we thought the matter would be taken care of by The Salvation Army officers based on what they told us.*

Is that correct?

A. Yes, sir.

Q. Perhaps you can read from just that last line.

A. In number 50, sir?

Q. Yes, from "we"?

A. "We thought the matter would be taken care of by The Salvation Army officers, based on what they told us. We believed them, even though we had some reservations. We lost. They did not do what they said they would do, so the game was over and we lost. My daughter lost. My family lost. I do not know whether she has considered reporting the abuse to the police in recent times."

Q. [JH], those are my questions. It is almost lunchtime, but there may be some other people, other barristers at the table, who may wish to ask you some questions.

A. Yes, sir.

THE CHAIR: Ms Eastman, do you have any questions?

MS EASTMAN: Your Honour, there's just one question.

**<EXAMINATION BY MS EASTMAN:**

MS EASTMAN: Q. [JH], I'm the barrister representing The Salvation Army. I have one question only for you. Mr Beckett asked you a few moments ago whether you had received any correspondence or any information from the army. I think you said that you had some emails from John, referring to Mr Greville, and that you'd sent them on to Vanessa. Do you remember saying that?

A. Yes, ma'am.

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Q. Can I ask you whether or not you have recently received a letter from Commissioner James Condon? The letter is dated 25 March 2014.

A. Yes, ma'am. My daughter received the same letter via email and I received the letter in the mail. I don't have it here.

MS EASTMAN: Your Honour, could I perhaps ask for the letter to be shown on the screen so I can confirm that [JH] has the letter referred to?

THE CHAIR: Yes.

MS EASTMAN: It is in the statements volumes. I'm not sure exactly what volume. It is the statement behind tab 42 of Commissioner Condon dated 26 March this year.

MR BECKETT: Volume 6.

MS EASTMAN: Volume 6. Thank you, Mr Beckett. The annexure number is JC-1.

THE WITNESS: Are you speaking to me, ma'am?

THE CHAIR: No, she's actually talking to me, [JH].

THE WITNESS: Oh, thanks, your Honour.

THE CHAIR: But she'll come back to you in a moment.

MS EASTMAN: Q. Coming up on the screen for us here at the Royal Commission is a copy of a letter. If I may, can I just read this out to you?

A. Yes, ma'am.

Q. It is addressed to you and it says:

*I have seen a copy of your statement to the Royal Commission.*

*I am saddened to read about your experiences and the impact that has had upon you personally, upon your daughter and upon your family.*

*I want to offer you the services of*

1           *The Salvation Army and particularly our*  
2           *Professional Standards Office. We would*  
3           *like to give you appropriate support at*  
4           *this time.*

5  
6           *I will be attending at the Royal Commission*  
7           *and would be more than happy to meet with*  
8           *you and talk with you if you feel that is*  
9           *appropriate. If this is not the right time*  
10          *for you, then I am more than happy to meet*  
11          *you at a suitable time, to hear from you*  
12          *and to further explore how we can assist*  
13          *you at this time.*

14  
15          *Yours sincerely, James Condon,*  
16          *Commissioner.*

17  
18          Do you recall that was the letter that you received some  
19          time after 25 March?

20          A.    Yes, ma'am.

21  
22          Q.    At this stage, have you contacted Commissioner Condon  
23          or anyone else from The Salvation Army?

24          A.    Ma'am, if they let me down and my family so badly all  
25          those years, why should I let them come in to support me  
26          now?

27  
28          MS EASTMAN:    Thank you.

29  
30          THE CHAIR:    Mr Agius, do you have any questions?

31  
32          MR AGIUS:     No, your Honour.

33  
34          THE CHAIR:    Mr Beckett?

35  
36          MR BECKETT:    Your Honour, we have been able to locate what  
37          I think is the document that the witness has before her.  
38          I should have done this when I was asking her questions  
39          before. With leave, hopefully, I can do that now. I'll  
40          hand up three copies of the documents.

41  
42          THE CHAIR:    Is this amongst the tendered documents or not?

43  
44          MR BECKETT:    No.

45  
46          Q.    [JH], we have a document entitled "Guidelines for  
47          Salvationists. Pornography". Is that the document that

1 you were referring to earlier in your evidence?  
2 A. Yes, sir.  
3  
4 Q. It is a one-page document?  
5 A. Yes, sir.  
6  
7 Q. And it has some handwriting on it.  
8 A. Yes, sir, my scribble.  
9  
10 Q. It says:  
11  
12 *Sent to everyone after Haggars left the*  
13 *town.*  
14  
15 A. Yes, sir.  
16  
17 Q. Is that your handwriting?  
18 A. Yes.  
19  
20 Q. And then there's what appears to be in handwriting.  
21 It says:  
22  
23 *After Colin Haggar was thrown out of*  
24 *The Salvation Army in uniform 1990.*  
25  
26 Is that your handwriting?  
27 A. Yes sir.  
28  
29 Q. And then there's an arrow up to the top right-hand  
30 corner and there's further writing down the side of the  
31 page. Is that all your handwriting?  
32 A. Yes, sir.  
33  
34 MR BECKETT: Thank you. I tender that.  
35  
36 Q. Also, it has been suggested to me to ask you when that  
37 was written?  
38 A. Sir, that would have been written, as you can read  
39 down the bottom, it had my husband, "Nor [REDACTED] nor I,  
40 never", so he would have been alive and he died in -  
41 January 1999, so he was alive at that stage when I wrote  
42 that.  
43  
44 Q. Do you think it was towards the end of that period or  
45 towards the start of the period?  
46 A. No, it would have been just after I - that we received  
47 this because that is anger that I'm reading in there.

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MR BECKETT: Thank you.

THE CHAIR: We'll make the document exhibit 10-12.

**EXHIBIT #10-12 DOCUMENT ENTITLED "GUIDELINES FOR SALVATIONISTS. PORNOGRAPHY"**

MR BECKETT: Is that a suitable time, your Honour?

THE CHAIR: Do you have any further questions?

MR BECKETT: I have nothing further for this witness.

THE CHAIR: Q. Thank you, [JH]. Thank you for coming and telling us your very personal story. You're now formally excused.

A. Thank you to everyone. Thank you, sir, and madam.

**<THE WITNESS WITHDREW**

THE CHAIR: We will take the luncheon adjournment.

**LUNCHEON ADJOURNMENT**

1 UPON RESUMPTION:

2

3 <KARYN JOAN WALSH, on former affirmation: [2.12pm]

4

5 <EXAMINATION BY MS EASTMAN CONTINUING:

6

7 MS EASTMAN: Q. Could I just ask that your statement  
8 comes back on the screen, with the assistance of the  
9 Commission officers, and can I ask that we turn to  
10 paragraph 8, I think, is where we were up to. Can I just  
11 ask you, with respect to the reference to the fifth  
12 anniversary of the Forde Inquiry 2004, you refer to "we  
13 produced the Charter for Redress" - can I just ask who is  
14 the reference to "we"?

15 A. The Historical Abuse Network.

16

17 Q. Could you just explain for the benefit of the  
18 Commission what the Historical Abuse Network is?

19 A. The Historical Abuse Network was formed - it was  
20 previously called the Former Residents of Institutions  
21 during the Ford Inquiry, and people, after the  
22 Forde Inquiry, wanted to work together, across the issues  
23 that were systemic, both in policy with government and with  
24 churches about the response to the Forde Inquiry, so the  
25 Historical Abuse Network was formally formed, and we would  
26 have workshops around educating - providing education that  
27 victims were wanting in regard to how to progress the  
28 systemic barriers, understanding the legal and non-legal  
29 issues that they were finding themselves up against, and  
30 looking at a range of services and what they wanted as  
31 adults in moving forward through different kinds of  
32 services.

33

34 Q. So "we" there is not a reference exclusively to you  
35 and your colleagues as part of Micah Projects; it is  
36 a broader network?

37 A. We resourced the network, so the network is of people  
38 who were in institutions, foster care and detention  
39 centres.

40

41 Q. Was the charter a written document?

42 A. Yes.

43

44 Q. You haven't produced a copy of the charter with you as  
45 part of the statement. Is the charter still available for  
46 reference purposes?

47 A. Yes, I think there is a copy with the Commission,

1 isn't there?

2

3 Q. I haven't seen the Charter for Redress. Could you  
4 just assist us as to what that document looks like and its  
5 contents? You have described it as "Guidelines for  
6 Organisations to Deal with Victims of Abuse"?

7 A. It was the issues that people raised as systemic  
8 issues at that point in time, five years after the  
9 anniversary of the Forde Inquiry - issues like the  
10 statute of limitations.

11

12 Q. Was it a one-page document or a 10-page document?  
13 What did it look like?

14 A. Four - it was a printed document. It was given the  
15 name of a charter to present to government. It was  
16 directed at the follow-on from the Forde Inquiry and where  
17 the recommendations were up to.

18

19 It had the issues that were relevant at that point in  
20 time that people wanted to bring to public attention as  
21 still being unresolved or unfinished issues following the  
22 Forde Inquiry.

23

24 Q. When you say "we also provided it to other  
25 organisations", who is the reference to "we" in that  
26 sentence?

27 A. It was sent out to all the churches.

28

29 Q. Is the reference to "we" to the Esther Centre or  
30 a reference to the whole of the network?

31 A. Well, the staff of the Esther Centre facilitated the  
32 network and acted as the secretariat for the network and we  
33 sent it out.

34

35 Q. When did you send it to The Salvation Army? Can you  
36 give me a month or a year?

37 A. It would have been at the fifth anniversary, with the  
38 invitation to attend?

39

40 Q. When was that?

41 A. I haven't got the date here.

42

43 Q. Do you remember the context in which it was provided  
44 to The Salvation Army?

45 A. It was a public event. It was sent out as an invite  
46 and we sent the charter to all the churches.

47

1 Q. Do you know who you sent it to in The Salvation Army?  
2 A. No. I'm not - that was a few years ago. It would  
3 have been sent to the contact person or the divisional head  
4 of Brisbane or to the Professional Standards Office,  
5 probably.  
6  
7 Q. Wouldn't it have been sent to somebody who you would  
8 have known at the time to have relevant responsibility in  
9 relation to issues of this kind?  
10 A. Yes. Yes, it would have been sent to who was our  
11 contact point at that time, as well as the Commissioner.  
12  
13 Q. And who was the contact point in The Salvation Army at  
14 that time, as far as you knew?  
15 A. I didn't bring that information with me. I mean,  
16 I haven't - I would have to go and look up --  
17  
18 Q. No doubt when you prepared your statement,  
19 paragraph 8, you had in mind, as you say, "we also  
20 provided" --  
21 A. Well, we sent the Charter for Redress to every church  
22 that was involved in the --  
23  
24 Q. But you just can't remember when it was sent and to  
25 whom?  
26 A. Well, I can't remember the time and date that we sent  
27 it and who was the particular individual. I - we would  
28 have sent it to the Brisbane divisional office, for sure,  
29 because they would have been the ones that would have been  
30 able to come to the event if they were there.  
31  
32 Q. You were prepared to send the charter without being  
33 asked to provide it; is that right? It wasn't solicited  
34 from The Salvation Army? You just sent it?  
35 A. We sent it to everyone, yes.  
36  
37 Q. But you didn't have to be asked by The Salvation Army  
38 to send something like that?  
39 A. No.  
40  
41 Q. It was done because you thought it might be of  
42 assistance for The Salvation Army to see the charter to  
43 provide some guidelines to deal with victims of abuse?  
44 A. Well, it was - it was a document prepared by and with  
45 victims who had been in Salvation Army institutions, as  
46 well as other churches, and it was freely given to anyone  
47 who wanted it.

1  
2 Q. Can I ask you now about paragraph 9 and the reference  
3 to Micah supporting 95 people through The Salvation Army's  
4 claims process. Can you tell the Commission, is that 95  
5 people as at the date on which you prepared the statement  
6 on 12 March this year?  
7 A. Yes, that was the number of files.  
8  
9 Q. And that number was obtained because you have  
10 a database, in terms of the people who have used  
11 Lotus Place or the Esther Centre for assistance with  
12 The Salvation Army's claims process?  
13 A. Yes.  
14  
15 Q. So you keep records of that kind in terms of the  
16 number of people who come to the centre seeking assistance?  
17 A. Yes.  
18  
19 Q. In terms of the 95 people who Micah has assisted, are  
20 you able to help us in terms of breaking down, by reference  
21 to time frames, when assistance might be provided, and by  
22 that I mean looking at the period, for example, 1995 to  
23 2000, and then perhaps 2000 to 2005, and the period that  
24 John Lucas was talking about yesterday from 2006 onwards -  
25 have you looked at that data?  
26 A. I haven't been asked for that data.  
27  
28 Q. You heard Mr Lucas give evidence yesterday, and he  
29 said that he's assisted between 30 and 40 survivors use  
30 The Salvation Army process, so that would put him as  
31 assisting one-third, perhaps, almost to 40 per cent, of the  
32 survivors with The Salvation Army process?  
33 A. Yes.  
34  
35 Q. Would that rather indicate that, given those numbers,  
36 there was a very large number of survivors coming forward  
37 using the claims process during the time that Mr Lucas  
38 worked as an advocate?  
39 A. No more than before. Not everyone who came forward  
40 proceeded. The other advocates have also engaged with  
41 The Salvation Army.  
42  
43 Q. In terms of the other advocates, one of the advocates  
44 whose name appears in the material is Anne Hilton?  
45 A. Yes.  
46  
47 Q. Is she still an advocate?

1 A. No.  
2  
3 Q. When did she leave either the Esther Centre or  
4 Lotus Place?  
5 A. She left last year.  
6  
7 Q. Do you recall over what period of time she worked?  
8 A. Anne worked - she worked on two occasions. She had  
9 a break in between. So the last 12 months - I haven't  
10 got - I didn't bring the dates with me, I wasn't asked for  
11 that information, but she --  
12  
13 Q. Do you know, is she still around at all? Do you have  
14 any contact with her?  
15 A. No, not at this point.  
16  
17 Q. In addition to Anne Hilton, was there anyone else who  
18 had a role of the kind that John Lucas described yesterday,  
19 or Anne Hilton performed?  
20 A. Chris Lee.  
21  
22 Q. Sorry, can you repeat that?  
23 A. Chris Lee.  
24  
25 Q. Yes. Anyone else?  
26 A. There were other staff members who may have.  
27  
28 Q. But the burden would have fallen, essentially, to the  
29 three people that you have mentioned for assisting the 95  
30 survivors?  
31 A. Well, it was their role.  
32  
33 Q. Your role was not to directly manage any of the  
34 complaints processes for any of the survivors personally;  
35 is that right?  
36 A. There have been some that I have done, not with The  
37 Salvation Army. My role was more oversight. We would  
38 regularly meet to discuss what people were doing, how it  
39 was going.  
40  
41 Q. Is your office physically located at Lotus Place or  
42 are you elsewhere?  
43 A. I'm currently in an office in Boundary Street. We  
44 have been in a few offices.  
45  
46 Q. During the time that you have held the coordinator's  
47 role for Micah Projects, have you ever been located in the

1 Lotus Place premises?

2 A. Yes, I was - well, I shared an office and spent quite  
3 a bit of time in that office when it was in Peel Street.

4  
5 Q. When was that?

6 A. In - I'm not clear on the dates. We have moved  
7 offices so often.

8  
9 THE CHAIR: Ms Eastman, I'm not sure this is helping us.  
10 Where is this going?

11  
12 MS EASTMAN: I'm just trying to understand the nature and  
13 the extent to which Ms Walsh has had the direct contact  
14 with the survivors and what her role has been.

15  
16 THE WITNESS: If you want direct contact --

17  
18 THE CHAIR: It won't help to know what office she was in  
19 when, though.

20  
21 MS EASTMAN: I will move on, your Honour.

22  
23 THE WITNESS: The direct contact I have had is around  
24 systemic barriers, systemic issues, how people want to  
25 progress, what they see as the unresolved policy issues.  
26 We have regular meetings with victims. I wasn't doing the  
27 one-to-one process deliberately, when I was doing some of  
28 the more facilitative process, because we encouraged people  
29 not to discuss their - you know, if they were in the middle  
30 of a process in a public arena.

31  
32 MS EASTMAN: Q. Can I cut to the chase then? Would you  
33 agree with this proposition. In terms of the day-to-day  
34 management of the claims process with The Salvation Army,  
35 that John Lucas, Anne Hilton or the other advocates who  
36 were working with the survivors directly would have  
37 a better knowledge of the day-to-day working of that  
38 process than you would, and your knowledge was really at  
39 the more systemic policy and support of the advocates?

40 A. No, I talked regularly and often with the advocates  
41 about the process. I understood it. I understood what was  
42 requested of them. If they had any concerns about,  
43 you know, what they were witnessing or what feedback to  
44 give, we would discuss issues; so I feel that I was  
45 familiar with the process.

46  
47 Q. Did you sit on any one-to-one meetings between

1 a survivor and Daphne Cox, for example?  
2 A. No.  
3  
4 Q. Did you sit in on any one-to-one meetings between  
5 a survivor and Major Robyn Smartt?  
6 A. No.  
7  
8 Q. Did you sit in on any meetings with any Salvation Army  
9 officers and any survivors on the one-to-one basis?  
10 A. No, but I understood that the meetings were happening.  
11  
12 Q. So would you agree that your knowledge of what might  
13 have occurred during those meetings is based on what other  
14 people told you?  
15 A. Yes, what the workers and sometimes what victims,  
16 survivors, had said.  
17  
18 Q. In terms of what other people told you, the other  
19 people were either the survivors or the advocates but not  
20 The Salvation Army officers?  
21 A. No. We did meet --  
22  
23 Q. Did you ever speak to any of The Salvation Army  
24 officers --  
25 A. I have had conversations with people, yes.  
26  
27 THE CHAIR: Q. I am sorry, you were about to tell us you  
28 did meet - who did you meet?  
29 A. There was a meeting recently with - I forget the name,  
30 sorry. I didn't bring the list of meetings. But - yes,  
31 I'm not claiming that I was in the meetings. You asked if  
32 I had knowledge and an understanding of the day-to-day  
33 work, and I'm very confident in saying that I did and  
34 that - you know, that was my role. I spent a lot of time  
35 at the Esther Centre, even though my office wasn't there.  
36  
37 MS EASTMAN: Q. Can I ask you to look at paragraph 11.  
38 You say "we", but I assume that's a reference to the  
39 Esther Centre and/or Micah and/or Lotus Place - is that  
40 right? In the first line, "we"?  
41 A. Yes.  
42  
43 Q.  
44 ... have not formally been asked by The  
45 Salvation Army about how it could improve  
46 its claims process.  
47

1 Do you see that?

2 A. Yes.

3

4 Q. Is it your view that you have to be formally asked  
5 about how The Salvation Army could improve its process  
6 before you'd offer that information?

7 A. No, but it's my view that I'm not responsible for  
8 The Salvation Army's process.

9

10 Q. But if there was something that you had observed, as  
11 you describe, on a systemic basis, that might improve the  
12 claims process, surely it would have been your role as an  
13 advocate for the survivors to bring those matters to the  
14 attention of The Salvation Army regardless of whether or  
15 not you were formally asked to do so? You would agree with  
16 that?

17 A. Yes. However, we had time constraints, we had  
18 resource constraints and I feel that we have put in public  
19 forums the views of victims about the systemic issues.

20

21 Q. Can I suggest that apart from the meeting that you  
22 described earlier today with James Condon, that you have  
23 not approached the army at any point in time providing any  
24 suggestions as to how it might improve its claims process?

25 A. Me --

26

27 Q. You personally?

28 A. Me personally - no.

29

30 Q. Why not?

31 A. Well, I haven't been asked and I don't think it's my  
32 role to take on the responsibility of the claims process of  
33 The Salvation Army.

34

35 Q. Your statement is highly critical of the process.  
36 Surely some of these criticisms could have been passed on  
37 to The Salvation Army before you made your statement  
38 in March this year?

39 A. If there had been a request to do so, I would have  
40 shared the information that victims and survivors have told  
41 us over the years about the process. I know that there has  
42 been individual feedback provided from time to time by the  
43 individual advocates about some of the issues, as John  
44 referred to yesterday.

45

46 Q. You heard his evidence yesterday. When I asked him  
47 what those matters were, the only thing that he identified

1 was a need for promptness to address the survivors'  
2 concerns in some cases about delay?

3 A. I think he also, you know, indicated that people had -  
4 some people did find their uniform confronting. We have  
5 never been asked to provide an overview of what were all  
6 the issues that people might have with not feeling that the  
7 process is adequate.

8  
9 Q. But I suggest to you, Ms Walsh, you don't have to be  
10 asked by the army to make suggestions?

11  
12 THE CHAIR: Ms Eastman, where is this going? As I have  
13 always understood The Salvation Army's opinion on these  
14 matters, it is open to ideas and suggestions for  
15 improvement without question.

16  
17 MS EASTMAN: It is.

18  
19 THE CHAIR: Isn't that the issue that we need to  
20 concentrate on?

21  
22 MS EASTMAN: It is the issue, but this is some evidence  
23 presented to the Commission that is highly critical of  
24 The Salvation Army's processes.

25  
26 THE CHAIR: I know that. I know that but I'm not sure  
27 that the line you are taking is going to help us. If the  
28 army says that some of the criticisms aren't justified, for  
29 whatever reason, or are inappropriate, that will help us,  
30 but the line you are taking at the moment I don't think is  
31 going to help us at all.

32  
33 MS EASTMAN: I hear what your Honour says. I will move on  
34 and I can deal with these matters in perhaps our final  
35 submissions in terms of this evidence.

36  
37 THE CHAIR: We are here to help everyone. If there are  
38 problems with what any organisation is doing, we would like  
39 to know about them from anyone and we would like to be able  
40 to consider them in conjunction with that organisation, so  
41 that at the end of the day everyone is helped: that's our  
42 purpose.

43  
44 MS EASTMAN: Your Honour, if this assists, Micah has  
45 assisted 95 out of what we understand to be 157 claims, so  
46 that Micah has assisted the majority of survivors making  
47 their way through The Salvation Army process.

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Until the army had read Ms Walsh's statement, we were unaware of the extent to which the coordinator of Micah had such serious criticisms and concerns about the flaw in the process.

If there has been a break-down and the advocates and the coordinator of Micah don't feel they can approach the army, then one of the issues that we want to explore is why is that the case and how may that be improved, and if the view is that there has to be a formal request then I want to understand that, because it seems to be somewhat inconsistent with other parts of the evidence. That is the context.

THE CHAIR: I have no difficulty with that, but it doesn't need to be done with any aggression at all. We're all here to help each other.

MS EASTMAN: Q. Can I come back - you don't need to be asked to formally respond to the army before you can provide suggestions on any improvement with the process. Do you agree with that?

A. No - do I agree? Yes. I agree, I don't need to be formally asked. I could be proactive and come to you, if I had the time and the resources to do that with every church that we are engaged with, as well as with government. We may have developed a more systematic way of providing issues on the systemic barriers that victims/survivors see and some of their perceptions and experience of the overall experience of going through the internal claims process, which of course also includes the deliberation and investigation and the outcome around the monetary, which we're not privy to. We can't make any comment on how those things are done because we don't know either. Yes, we certainly could. We have, at times, wished we had more time to do that, but we have been extremely busy with a lot of individual requests over, you know, ongoing, from redress to the announcement of the Royal Commission to - probably a bit prior to that, it was even supporting the call for a royal commission, because there is not a lot of confidence in having all the information on a table, sometimes, around the systemic issues.

Q. Can I ask you to look at paragraph 16. You say there:

1           *There was never a clear document provided*  
2           *to us or made available to victims*  
3           *outlining the process from beginning to*  
4           *end.*

5  
6           Do you see that?

7           A.    Yes.

8  
9           Q.    Isn't it the case that even if there was a document,  
10           that just the fact of the document alone wouldn't have been  
11           sufficient in terms of assisting survivors to understand  
12           the process from beginning to end?

13           A.    I think documentation and information helps to be  
14           distributed. There is more available now through the  
15           website. A lot of churches didn't have a clear process  
16           documented. We understood your process by working with  
17           you, with the Salvation Army, and we communicated that as  
18           clearly as we could, but it is not our job to communicate  
19           on behalf of The Salvation Army.

20  
21           Q.    You would agree, though, that if you thought at any  
22           time that there was a need for a document, that's something  
23           that you could have asked of the army?

24           A.    I think that we had said in public forums that the  
25           need for transparent and clear information to victims was  
26           something that victims would find helpful.

27  
28           Q.    Can I ask you to look at paragraph 19. Just take your  
29           time to read that, if you need to. I think you have said  
30           to us a little earlier that you didn't sit in on any of  
31           those meetings. Is it fair to say that your understanding  
32           of what occurred at the meeting is really based on what you  
33           were told by the advocates who did attend those meetings?

34           A.    Yes, and what I read in correspondence.

35  
36           Q.    And at the end of that paragraph you say:

37  
38           *The Salvation Army usually offered to pay*  
39           *for counselling and would often provide*  
40           *details of a payment offer in writing after*  
41           *the meeting, although sometimes an offer*  
42           *may have been made at the meeting.*

43  
44           Do you see that?

45           A.    Yes.

46  
47           Q.    Could it be the case that you might be a little

1 confused in terms of the circumstances in which offers  
2 might be made? Can I suggest to you that other than a very  
3 early part of the process, an offer was never made at  
4 a face-to-face meeting with a survivor? Are you aware of  
5 that?

6 A. I thought there was one where \$7,000 was, but I could  
7 be wrong.

8  
9 Q. You are not sure about that; you think there might  
10 just be that one. Do you remember who that person might  
11 have been?

12 A. No.

13  
14 Q. You say:

15  
16 *No information was available about how the*  
17 *amount of the offer was determined or*  
18 *whether insurers or lawyers were involved.*

19  
20 What do you mean by that - insurers for whom, the army?

21 A. Yes. Well, it is something that victims/survivors  
22 have often raised, that they do not understand where the  
23 advice is given to church leaders, including The Salvation  
24 Army, by their insurance company or by independent legal  
25 advice. There is a perception that the approach to  
26 internal processes is to minimise the impact on the church  
27 and that the lawyers would be operating, if they are  
28 operating - we don't know, but that is a question that  
29 often victims/survivors raise about any internal process,  
30 of not knowing what the church is getting advice about from  
31 lawyers or from insurance companies.

32  
33 Q. Do you know of any particular survivor who went  
34 through The Salvation Army claims process that asked about  
35 whether insurers or lawyers were involved?

36 A. Well, they ask what was the criteria and how decisions  
37 were made, which --

38  
39 Q. No. No, I'm just asking you about whether you know  
40 any particular survivor who made a request for that  
41 information and it wasn't answered?

42 A. I don't - well, there was one witness who asked for  
43 the criteria around the decision, and it was in that  
44 context that people would talk about not understanding what  
45 was the decision-making and who was involved in the  
46 decision-making.

47

1 Q. I just ask you whether you know of any particular  
2 survivor who raised those particular concerns in their  
3 dealings with The Salvation Army about insurers or lawyers?  
4 Do you know?  
5 A. Well, people have raised them at meetings that we've  
6 had, of not knowing --  
7  
8 Q. But you don't remember any particular survivor working  
9 through The Salvation Army's claims process?  
10 A. Who asked in the context of the claims process?  
11  
12 Q. Yes.  
13 A. Only where the witness, in this case study, asked for  
14 the criteria --  
15  
16 Q. So that's Mrs Eldridge?  
17 A. -- around how decisions are made and who --  
18  
19 Q. And that's what that sentence refers to, is it?  
20 A. That's one sense, but generally it is a feedback that  
21 is often provided, that victims/survivors do not know what  
22 advice or who is directing that advice to the church.  
23  
24 Q. Can I ask you about paragraph 20. That first sentence  
25 there, is that a reference to The Salvation Army or is that  
26 a reference to your work with survivors more generally?  
27 A. It was a reference to survivors more generally, where  
28 I was asked, and it also applies to The Salvation Army.  
29  
30 Q. Are you aware of any survivor who specifically asked  
31 to meet with a leader of The Salvation Army during the  
32 course of a claims process?  
33 A. Not on an individual case.  
34  
35 Q. Can I ask you to look at paragraph 21. Is the  
36 reference at the end of paragraph 21 where you say, "In  
37 addition, some victims were seeking acknowledgment that  
38 a crime had been committed" - do you see that?  
39 A. Yes.  
40  
41 Q. Is that a general observation about victims or  
42 survivors generally, rather than specifically to  
43 The Salvation Army?  
44 A. Well, I think some of the witnesses in The Salvation  
45 Army also feel that one of the reasons the apologies are  
46 not to their satisfaction is that there hasn't been full  
47 acknowledgment.

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Q. Can you think of any particular survivor who sought acknowledgment that a crime had been committed during the course of the claims process with The Salvation Army?

A. The - well, I think the witnesses that have not been satisfied with the apologies, where there had been a crime committed but it hadn't been referred to.

Q. But you can't remember who they might be by name or circumstance?

A. I'm just having a block about the name.

THE CHAIR: Q. When you say "acknowledgment that a crime has been committed", are you expressing that in terms of a particular criminal offence?

A. Yes.

Q. Or are you expressing it in terms of an acknowledgment that the particular actions were wrong?

A. Well, in some cases, it is in reference to the actions; in other cases, there has been a conviction.

Q. Yes, I know, but are you saying --

A. But that conviction hasn't been --

Q. -- they seek acknowledgment that a crime has been committed.

A. Well, it hasn't been referred to in the apology, that there has been a conviction and that a crime was committed. Some victims would prefer that language, because they understand - as a mechanism of the - that The Salvation Army or the church understands clearly what has happened, that it is not minimising.

Q. I am still not clear. Are you saying that if there has been a conviction, then the survivor wants the army to acknowledge that conviction, but if there has been criminal conduct but no conviction, they want the army to acknowledge the conduct without describing it as a crime?

A. I think they would prefer that it is described as a crime, but because there has been no conviction, there may be issues about that being stated in that way. The preference that we hear most is that people want crimes that have been committed to be acknowledged so that they understand that it is not just about professional standards or policies of the day.

1 Q. What about if the perpetrator is dead --

2 A. Well, that's where --

3

4 Q. -- and there has not been a criminal process?

5 A. I think people understand that there are issues around  
6 the fact that, you know, that can't be further explored.

7 Sometimes, people think that if there has been a pattern or  
8 if the Salvation Army or any other authority knows that  
9 there have been several complaints about the one person,  
10 that maybe that could be acknowledged.

11

12 Q. So that if they know the person who they are currently  
13 talking to would like to know, from the army, that they  
14 knew about other issues with that same perpetrator --

15 A. With the same perpetrator, that if a pattern had  
16 emerged.

17

18 MS EASTMAN: Q. What about if the perpetrator was  
19 another child or young person?

20 A. I think those levels of complexity are different. Do  
21 you mean what do victims/survivors say about that?

22

23 Q. Just following on from what his Honour asked you, and  
24 just trying to understand what you are saying in that last  
25 sentence in paragraph 21, if victims were seeking  
26 acknowledgment that a crime had been committed - you are  
27 well aware, aren't you, that not all experiences of sexual  
28 abuse occurred by adults towards children; you are aware,  
29 aren't you, that there are reports of sexual abuse and  
30 physical abuse between children and young people?

31 A. Yes.

32

33 Q. Is the comment that you make in that final sentence  
34 directed to what might be described as the adult offenders  
35 or the adult perpetrators?

36 A. I think any crime that has been committed, the  
37 expectation is that it would be investigated and named and  
38 dealt with accordingly, regardless of who is the  
39 perpetrator, but the way in which the - like, who the  
40 perpetrator is obviously determines the response. If it is  
41 a person in a position of power or another child, there are  
42 different issues.

43

44 Q. In paragraph 22 you say:

45

46 *The Salvation Army often acknowledged the*  
47 *experience of the victim, but often stopped*

1           *short of providing an apology for not*  
2           *protecting them.*

3  
4           Can you just assist me with this? When you say "often", on  
5           how many occasions are you referring?

6           A. Well, in some of the letters that people received, the  
7           word is that they apologised for their experience, but  
8           there isn't an acknowledgment of the failure to protect.

9  
10          Q. Are you aware that when Salvation Army officers came  
11          to meet with the survivors in the one-on-one or two-on-two  
12          face-to-face meeting, that the officers always sought to  
13          apologise or express regret or express sorrow to the  
14          survivors in the course of those meetings?

15          A. Yes, for their experience, but it's about whether  
16          there has been an expression or an apology for the failure  
17          to protect.

18  
19          Q. But are you aware of that --

20          A. Is what some people would also like.

21  
22          Q. I understand what people might like, but I'm asking  
23          the basis on which you say that this would often be the  
24          case, that the army acknowledged the experience of the  
25          victims but often stopped short of providing an apology for  
26          not protecting them. I want to understand on how many  
27          occasions do you say this occurred and do you know the  
28          survivors who reported such --

29          A. I know that survivors and victims have given that  
30          feedback about when they reflect on the whole experience,  
31          which may not be simply the experience of the meeting, but  
32          when they reflect on the whole experience from the  
33          beginning to the end and how they might feel a month or so  
34          later, that this is an issue that often comes up.

35  
36          Q. So can I put it this way: it may not be factually  
37          correct to say that The Salvation Army often stopped short  
38          of providing an apology for not protecting them, but the  
39          perception of the survivor after the event might be that  
40          their experience of the meeting and what they wished to  
41          hear didn't reflect their expectations, rather than what  
42          was actually said or not?

43          A. Well, I think people have indicated that they are not  
44          satisfied with the apologies as they have been presented,  
45          and that there needs to be more work done on how those  
46          apologies may involve them in including what they want  
47          included in the apologies.

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Q. You then deal in this paragraph with the decision by survivors to accept or reject any payment being a very personal decision, but you are aware, aren't you, that they might discuss whether to accept or reject a payment with the advocates?

A. The advocates certainly wouldn't tell them what they should do.

Q. I'm not asking you that. I'm just asking whether, from what you know, they might have discussed that with the advocate?

A. Yes.

Q. And you say the absence of legal processes, including legal representation, left many victims to ponder this question alone.

A. Well --

Q. Do you see that there?

A. Yes.

Q. The question I want to ask you is if that was the situation and what had been observed by the advocates, that victims were pondering these questions alone and they may have needed the assistance of legal process, wouldn't it have been part of the services that you provided to survivors to assist them to find legal representation of some kind?

A. We certainly made it our priority that people understood what signing the deed meant and we had people speak at forums on that issue, people understood what exactly the deed was saying, but the legal - the issue of how to obtain legal advice, to the extent that someone would review all of their information in the light of any potential opportunity for civil litigation, is one that still remains unresourced in the community and some lawyers had given us that feedback, that they wouldn't have the time; there would need to be a cost to it, and --

Q. Do you have a recollection of any particular survivor going through The Salvation Army process that you considered was one of the people left to ponder those questions alone or struggled with the decision whether to accept or reject an offer because of the lack of legal representation?

A. I don't think it's appropriate for me to comment on

1 that. What people spoke about or pondered or what they  
2 wanted reported back is, you know, in their - that's their  
3 private considerations. I know people have always  
4 struggled with this. They say to us regularly that it is  
5 the - you know, that it is an option that is different to  
6 going to court because they can't for the statute of  
7 limitations. So this is an option that is offered and  
8 people are accepting the limitations of this option,  
9 because it is the only option that is available to them,  
10 and that is something that people talk about quite openly  
11 when we have - even just in informal conversations, people  
12 would talk about that dilemma as to whether they should  
13 accept internal church processes or not.

14  
15 Q. You also say in this paragraph that there are some  
16 victims who come to Lotus Place but have never engaged The  
17 Salvation Army complaints process. For that group of  
18 people, are you able to give some indication about what the  
19 number might be? Is "some" a large number or a small  
20 number?

21 A. We don't keep a record of who chooses not to.

22  
23 Q. So you can't say whether it might represent  
24 10 per cent or 5 per cent or a much lower number?

25 A. No, but I know that we meet people on a regular basis  
26 through our work with vulnerable populations where it may  
27 be something people are considering now, people haven't  
28 acted on it quickly, but in terms of numbers, we don't  
29 record that.

30  
31 Q. Are the matters that are set out in the balance of  
32 paragraph 22, where you talk about the victims who have  
33 never engaged The Salvation Army complaints process - if  
34 you don't keep records of those kinds, are the matters that  
35 are then set out in the balance of that paragraph, do they  
36 represent your impression from speaking to people who  
37 decide not to go through a complaints process?

38 A. Sorry, what was --

39  
40 Q. If you are not keeping records of the numbers, and  
41 I assume you don't keep any records as to those individuals  
42 who don't engage the complaints process, I'm asking whether  
43 or not the matters set out in the balance of that  
44 paragraph really reflect your impression, in terms of the  
45 conversations or interaction you have had with that group  
46 of individuals?

47 A. Well, there are people that are very informed about

1 the process and have followed it for a long time, who have  
2 made a conscious decision not to engage, and there are  
3 others who don't know about it or are not in a state of  
4 mind where they want to act upon it, but, you know, have  
5 indicated that they experienced abuse in a Salvation Army  
6 home.

7  
8 Q. Can I ask you now to look at paragraph 23. When you  
9 say "I have often heard victims refer to their payments as  
10 being hush money", is that a general comment of survivors  
11 across the board rather than just those going through  
12 a process with The Salvation Army?

13 A. It includes people who have gone through the process  
14 with The Salvation Army.

15  
16 Q. You say this was something that arose because of  
17 confusion about the content of settlement agreements or  
18 deeds of release; is that right?

19 A. Yes.

20  
21 Q. And that confusion arose as to whether or not it was  
22 hush money because the survivors wouldn't be able to speak  
23 about their experiences?

24 A. I think it's been clarified that people can speak  
25 about their experiences but not about the money, but the  
26 experience - the term "hush money" afterwards has often  
27 come as people felt that, you know, it was just to keep  
28 people quiet and to go away, that that is the perception of  
29 some people who have been through the process; that it was  
30 either "Accept this", or "There is nothing else that you  
31 can do." There's no other option. And it's not an  
32 uncommon experience among victims over a period of time,  
33 when they reflect on the whole experience, that it was  
34 money to - you know, just to stop any action; it wasn't  
35 necessarily the money that would represent the harm they  
36 have experienced or the failure to protect or, you know,  
37 failures to report a crime or those issues that people  
38 raise.

39  
40 Q. I think you say over the page, at the end of that  
41 paragraph, that over time, the wording of the agreement was  
42 changed, offering clarity that a person can discuss their  
43 experiences but not the amount of the settlement. You  
44 understand that to be the current position?

45 A. Yes, and I think that many victims/survivors have also  
46 felt that if anything did change in a systemic way, that  
47 they would ask to be released from the deed of release so

1 that they could talk, as they have done during the  
2 Royal Commission.

3  
4 Q. But you are aware, aren't you, that The Salvation Army  
5 has never said to a survivor that he or she can't talk  
6 about their experience; do you agree with that?

7 A. Yes, but people still had the perception. And we  
8 would explain what that deed of release meant and that it  
9 didn't necessarily say that.

10  
11 Q. In paragraph 24 you say:

12  
13 *I am also aware that, today, victims are*  
14 *seeking information about whether they can*  
15 *re-approach The Salvation Army if they are*  
16 *unsatisfied with the outcome of their*  
17 *claim.*

18  
19 Could I just seek some clarification about what you mean by  
20 that? Do you mean by that that they are dissatisfied with  
21 the monetary amount of the ex gratia payment or something  
22 else?

23 A. Well, people are saying that The Salvation Army is  
24 contacting them to say - talk about the amount of money and  
25 whether or not they are satisfied, or whether they want to  
26 approach them to increase, or have offered an increase in  
27 that payment.

28  
29 Q. I am trying to understand. You are saying that the  
30 victims are seeking information about whether they can --

31 A. We have been asked in the last two weeks what is the  
32 process in regard to The Salvation Army revisiting the  
33 amount of money that has been offered through the process  
34 and our response is that we don't know. We will write to  
35 you and ask you, ask The Salvation Army. I suppose we are  
36 a bit confused by the process. It seems to be that people  
37 have just been asked an amount of money. Some people have  
38 reported being offered an amount without going through any  
39 other process. We don't know anything about it.

40  
41 Q. So this is something that's really only arisen in the  
42 last few weeks; is that right?

43 A. Yes, and as people have talked about that they have  
44 been approached and have been offered more; we were not  
45 aware.

46  
47 Q. And Micah Projects have written today to The Salvation

1 Army?

2 A. No, no, we were reflecting on last week what we should  
3 do with these requests, I suppose, as an organisation.  
4 We feel that this whole issue is one that we need to  
5 reflect on. We need to talk to The Salvation Army. People  
6 need some advice or some direction about whether they will  
7 get legal advice in that process. Some people are confused  
8 as to whether it is part of the Royal Commission's process  
9 or whether it is part of The Salvation Army's process. So  
10 I think that it's a matter that needs attention in terms of  
11 how do people go forward in engaging in this, and what  
12 considerations do people need to give. We thought that it  
13 was an issue we would like to discuss with knowmore, or -  
14 we don't have a lot of information other than people saying  
15 that they are confused by the approach and what is the  
16 purpose of the approach and on what basis different amounts  
17 of money might be made.

18

19 Q. I think I have asked you about the apologies which you  
20 again return to in paragraphs 25 and 26. Can I ask you,  
21 then, just to move to what is described in the statement as  
22 "Personal observations of the claims process" at  
23 paragraph 29.

24 A. Yes.

25

26 Q. You say:

27

28 *I believe the main problem with The*  
29 *Salvation Army's claims process is that it*  
30 *is not independent.*

31

32 Can I ask you what you mean by that?

33 A. It is an internal process that is managed and operated  
34 by The Salvation Army. It is not independent of  
35 The Salvation Army.

36

37 Q. Why do you say that's the main problem?

38 A. Because it's the feedback that people have given; some  
39 of the issues that have been raised in the case study;  
40 whether people understand how decisions are made, against  
41 what benchmark; the fact that some people have got more  
42 amounts of money for similar experiences or different  
43 amounts of money; how those decisions are made have raised  
44 questions for people now that there is more information  
45 available to them about the process that The Salvation Army  
46 went through.

47

1 THE CHAIR: Q. You probably know, Ms Walsh, we are  
2 hearing the same thing across many types of institutions,  
3 not just The Salvation Army. No doubt you are, too, in  
4 what you are doing?

5 A. Yes.

6  
7 Q. That issue is one --

8 A. It's a matter that we think needs - you know, needs  
9 some careful consideration at the moment.

10

11 Q. Not just for the army but for --

12 A. Generally.

13

14 MS EASTMAN: Q. By any chance, did you either see or  
15 read or your attention has been drawn to the evidence given  
16 by Commissioner Condon when the last case study was heard  
17 involving The Salvation Army, back in January and February  
18 this year, and what he said about the involvement of the  
19 army in any process? Did you look at that at all?

20 A. I did. I wouldn't take that as - you know, people  
21 have referred to that, but I don't think that's a directive  
22 statement about process.

23

24 Q. But I'm referring specifically to his view that there  
25 was some importance, be it symbolic or otherwise, of the  
26 army being able to make the connection with the survivors  
27 to work on a restorative justice and reconciliation, that  
28 the process simply wasn't about a cheque or the payment of  
29 money?

30 A. I don't think anyone wants the process to be about  
31 a cheque or a payment of money. I think that a restorative  
32 justice framework needs articulation in a way that everyone  
33 understands what it means, and I think the principles of  
34 compensation, the principles of listening to people's  
35 stories and the principles of understanding the diversity  
36 of experience - you know, some experiences were about  
37 practices which are harmful and have had ongoing impacts on  
38 people's lives, like solitary confinement. Other childhood  
39 sexual abuse is and was always a criminal act, and I think  
40 that people need to understand that in a restorative  
41 justice process, it is not simply to limit it to the  
42 experience of the victim, but it is also to hold  
43 accountable the perpetrator and also the institution, about  
44 what its responsibilities are in addressing the whole  
45 process of listening, being compassionate, and  
46 accountability and restitution. But there needs to be an  
47 equal playing field where it is not the church with lawyers

1 and whoever deciding on those things without any  
2 transparency about how decisions are made. A restorative  
3 justice process would make sure that everybody had access  
4 to the same principles; could agree to them; and maybe  
5 a range of processes, you know, from engagement and  
6 apologies and compassion to appropriate mediation and  
7 appropriate court action, if that was what was determined.  
8 So I understand the principles of restorative justice but  
9 I don't think enough work has been done to articulate what  
10 those might be and whether or not they should lie just with  
11 an individual church or whether it would be better to  
12 establish a more formal tribunal approach or an independent  
13 approach in which all churches and governments were  
14 signatories to and agreed upon a set of principles that  
15 involved the input and experiences to date of survivors and  
16 victims.

17  
18 Q. But you would accept, wouldn't you, that some people  
19 find enormous strength in being able to reconnect with  
20 faith-based organisations?

21 A. Definitely. I think if goodwill and respectful  
22 relationships were to resolve this issue, we all wouldn't  
23 be here today. You know, it is really helpful when people  
24 can have a very human engagement with another person and  
25 a person who represents the misuse of power, but for many  
26 people this is still not something that the process enables  
27 them to do.

28  
29 Q. What would you say to this proposition: if you took  
30 the process out of the Salvation Army and into an  
31 independent process, that that might have the appearance of  
32 being cold, clinical and not something which would deliver  
33 healing to survivors?

34 A. Well, I hope --

35  
36 THE CHAIR: Ms Eastman, I don't think anyone is suggesting  
37 that the whole process should be taken across to some other  
38 body. Everything we have heard from everyone suggests that  
39 there needs to be a real engagement between the survivor  
40 and the institution, but what is being suggested by some  
41 people is that as far as any compensation component is  
42 concerned, that needs to be separated.

43  
44 MS EASTMAN: Your Honour, this is what I want to explore,  
45 because paragraph 29 of Ms Walsh's statement suggests that  
46 the main problem with the claims process is that it is not  
47 independent, and that process is one --

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THE CHAIR: That's the compensation component. There is no suggestion by anyone that there shouldn't be a real engagement with the institution, which should lead, if possible, to a reconciliation; if that's not possible, certainly, if the abuse is accepted, there should be a genuine and real apology. That's being said to us by everyone.

MS EASTMAN: Q. How, in your experience, do you see that working? Would the engagement with the church be the first port of call or the engagement with the independent process?

A. Well, to be honest, I don't think it's my opinion that should inform that; it is really that there needs to be some formal way in which all parties can get together and look at what are the ways that this should occur. That is the piece of work that needs to be done. There are lots of people who have opinions and lots of victims/survivors who have great insight into what the experience has been for them and whether it has been restorative or it has been harmful. So I think that we would advocate that it's necessary for all the stakeholders who have been involved to have a conversation about how this can proceed, but I don't think, in doing that, there should be any rules about who is allowed to engage with the church or the Salvation Army on a personal level.

But it would be good to have a very clear process about what it is that engagement is about and if it is about the opportunity for truth-telling, if it is about acknowledgment of what has occurred, the abuses of power as well as the specific acts that have occurred, then, you know, there needs to be a process worked out together that everyone understands and that it isn't cutting across people's legal rights in any way and that people can get that advice freely.

Q. At some point in time, I think you have talked about the notion of a religious ombudsman; is that what you mean by an independent process, or something --

A. Well, that was a position that was put up with one of the inquiries. That was a view that people felt that, you know - well, there were two issues: one, that people wanted there to be transparency in a church process; that churches should report, as institutions that are trusted in society, as institutions who benefit from a lot of

1 positions, that they should be accountable and have to  
2 report annually on the issues of abuse, both historic and  
3 current. There have been some issues around whether that  
4 should be a Human Rights Commissioner, whether it was  
5 a religious ombudsman, but a statutory reportable body  
6 where institutions would have to report on the number of  
7 complaints. I think people have moved on beyond that to  
8 saying that, you know, it would be better to have  
9 articulated processes that are understood by everyone but  
10 that there needs to be some independence around the way in  
11 which compensation or restitution is approached. And  
12 I understand the complexity of that, but I think it is an  
13 important task that needs to occur.

14  
15 Q. Can I ask you about paragraph 30. You talk there  
16 about ex gratia payments. I just need to understand what  
17 do you mean by the word "benchmarking" as it appears on  
18 that first line? What does that mean?

19 A. Well, that people don't understand against - well,  
20 people didn't understand, don't understand, the matrix that  
21 may have been applied and how different amounts of money  
22 were allocated to specific experiences.

23  
24 Q. And why is benchmarking important if one is looking at  
25 a process for individual restorative justice or  
26 restitution?

27 A. People value - I think people value equity, that they  
28 want to know that things are - that there is a structured  
29 way of making this decision against a set of principles and  
30 objectives and that people are very vulnerable. Different  
31 people do not have the same capacity in negotiating around  
32 what is something that they will accept that is just and  
33 equitable to the experience, or the impact of the sexual  
34 abuse that has been reported or put forward to the army or  
35 to anyone else. They need confidence that it is not just  
36 a figure plucked out of the air, and it doesn't change  
37 without reason for changing. So, you know, that some sort  
38 of structured schedule of how different amounts of money  
39 are allocated to the kinds of experiences that people are  
40 putting forward.

41  
42 Q. And you also say "benchmarking or transparency" - what  
43 do you mean by "transparency"?

44 A. It means a similar thing, I suppose, that if it was  
45 clear how - "transparency" goes beyond just the  
46 benchmarking. It is knowing exactly who was involved in  
47 advising and making the decisions that need to be made in

1 terms of what is offered.

2

3 Q. Yesterday I think you talked about privacy also being  
4 a very important component. Do you not think that there is  
5 an inherent tension between respecting people's privacy as  
6 to the amounts that they may receive by way of ex gratia  
7 payments and what you describe as "transparency"?

8 A. No, I think that privacy - I think transparency can be  
9 achieved by knowing there is a structured decision-making  
10 process, you know, similar to if people made a public  
11 liability claim or a workers compensation, that kind of  
12 understanding of how injury is being looked at, and privacy  
13 around disclosure is a different issue. I don't think  
14 people - it is what the individual receives; it doesn't  
15 mean that it has to be publicly declared to other people.

16

17 Q. Can I put this to you: are you saying that the system  
18 might be enhanced if there was some information made  
19 available to a survivor that they knew, when they were  
20 offered an ex gratia payment, that it was comparable to  
21 somebody else's experience and --

22 A. Well, to the reality of what it is. It doesn't have  
23 to be compared to another person's name.

24

25 Q. No, no, but I'm just saying generally. If there was  
26 some way of describing, either by reference to experience,  
27 degree of suffering, if we're talking about a survivor who  
28 might have been in a children's home a length of time, are  
29 those the sorts of things that you are looking at for the  
30 purpose of benchmarking?

31 A. Yes.

32

33 Q. And if you had a process that was able to indicate in  
34 a de-identified form - so not saying John Bloggs, \$20,000,  
35 Mary Smith, \$20,000, but something that allowed people to  
36 see that those with comparable situations were receiving  
37 comparable amounts of ex gratia payments - is that what you  
38 mean by benchmarking?

39 A. Well, I think, yes, the process - not so much  
40 a comparison between individual cases, but the criteria on  
41 what the decision is being made.

42

43 Q. On the flip side, it is very important, is it not,  
44 that a survivor, if he or she does not wish to disclose the  
45 amount that they have received, should be able to keep that  
46 information private to themselves or perhaps to their  
47 immediate family?

1 A. I don't think anyone should be - I don't think  
2 transparency is about publicising confidential information.  
3 I think that confidential information is still important,  
4 but what is - what people are asking for is a transparency  
5 around the way in which the decisions are made and the  
6 amounts of money are allocated, and what informs that, and  
7 if people are now being asked if they would like another  
8 \$10,000 or another \$15,000, what is that about? What does  
9 it represent? What is the thinking of The Salvation Army  
10 in terms of approaching people with that, because, you  
11 know, every situation may be different, and people have  
12 indicated what it is that they are seeking a payment for  
13 and I think it is important that that is responded to.

14  
15 Q. In paragraph 30 you say:

16  
17 *It would also appear that the impact of*  
18 *sexual assault such as leading to unplanned*  
19 *pregnancy and forced adoptions has not been*  
20 *taken into account in determining the*  
21 *payment amounts.*

22  
23 Could I ask you, is that a reference specifically to any  
24 survivor who has been through a Salvation Army claims  
25 process, or is that a comment of general observation?

26 A. It is general, including some people that have been in  
27 Salvation Army homes. It goes right back to before the  
28 Senate inquiries into forced adoption. We did support  
29 a couple of women who are now deceased who did feel that  
30 the experiences of sexual assault - the fact that there was  
31 a pregnancy and then an adoption - were not fully  
32 understood.

33  
34 Q. But these aren't people who specifically have been  
35 through The Salvation Army claims process since 2000?

36 A. Well, a couple - there were two women that did and my  
37 comment here is just it isn't clear as to whether these -  
38 the evidence that has been given in those inquiries for  
39 victims/survivors, that it is not clear to them whether  
40 those reports have informed The Salvation Army in their  
41 experience in moving forward.

42  
43 Q. I think you say in paragraph 30 that that is an issue  
44 that you did raise at the meeting - I assume which is the  
45 James Condon meeting in 2000?

46 A. Yes.  
47

1 Q. And is it fair to say that you have no knowledge one  
2 way or the other whether these are matters that  
3 The Salvation Army has taken into account and may continue  
4 to take into account in its claims process?

5 A. Yes, that was my point.

6

7 Q. You don't know?

8 A. That's what I said.

9

10 THE CHAIR: That's the problem of transparency, isn't it?

11

12 MS EASTMAN: Q. You have not made any inquiries about  
13 that?

14 A. No, I don't think it's my role to fully understand the  
15 decisions around that, but what I'm saying is  
16 victims/survivors have indicated over time that they are  
17 not clear as to what extent the evidence that these  
18 inquiries put out into the public domain and that are  
19 available for churches are considered, and that is  
20 something that could enhance the process if The Salvation  
21 Army could, you know, make that clear about the  
22 understanding that the organisation has of the evidence  
23 that is now available over time, because there have been  
24 these inquiries.

25

26 Q. I think we have started earlier today by talking about  
27 sometimes these processes are evolutionary, and you would  
28 accept that the claims process, even for an organisation  
29 like The Salvation Army, might have an evolutionary aspect  
30 to it?

31 A. I do, and I don't think that process is complete, is  
32 the point, but I think there is feedback and reflections  
33 that people are giving to The Salvation Army and are  
34 talking about that need to be taken into consideration to  
35 enhance the process further.

36

37 Q. Has Lotus Place, through Micah, ever given  
38 consideration to saying, "There might be some benefit in  
39 having, for example, quarterly or half-yearly meetings with  
40 relevant Salvation Army officers to provide the feedback  
41 that you are talking about"?

42 A. We did look at that. We didn't get much response when  
43 we asked church leaders whether they --

44

45 Q. Just The Salvation Army, I'm asking you about.

46 A. Well, they were in the room, and, you know, we did  
47 raise that issue as an ongoing - when we met with

1 James Condon, how to do it in a way that is meaningful and  
2 doesn't compromise other processes as well. Those issues  
3 are constantly reflected upon, which is the best way to go.  
4 People don't feel - some people don't feel it would be  
5 helpful and other people do.  
6

7 I think people need to feel confident that there can  
8 be a dialogue and a relationship to be built before we  
9 would sort of put - you know, try and find the resources to  
10 facilitate that happening.  
11

12 Q. Can I ask you now about paragraph 31. With respect to  
13 the first sentence, can you just indicate over what time  
14 period you are referring there?

15 A. I think over the whole time.  
16

17 Q. When you say "the amounts have been low", what do you  
18 mean by that?

19 A. That there is a fluctuation of - that there are some  
20 very low amounts; there has been an increase in the amount.  
21 We didn't always know the amount that people might have  
22 settled on. When we looked - when I've looked at the  
23 schedule that was submitted through the Royal Commission,  
24 you can see the variation. There are some more recent ones  
25 that I, prior to the Royal Commission, didn't know people  
26 were getting paid that amount, which - you know, for other  
27 people, leaves them feeling that they haven't been - you  
28 know, that - how come that happened, that someone can get  
29 such a higher figure to the low figure that generally the  
30 people we knew were getting.  
31

32 Q. But can I just bring you back to what you say in  
33 paragraph 31, and this is your observation over time that  
34 the amounts have been low, and I'm just asking you what do  
35 you mean by that? What do you mean by "low"? Do you have  
36 a figure in mind, something?

37 A. Well, the \$7,000, the \$40,000, for some of the  
38 experiences that people have put forward - you know. My  
39 personal view would be that, you know, we need to work out  
40 what is a just process - what is a just amount, what is the  
41 amount that reflects the person.  
42

43 Q. Do you have a view on that?

44 A. No, because I think it needs to be within a proper  
45 thought-out formula and process. That's not my skill set.  
46

47 Q. But you hold the view, as you say in the last

1 sentence, that:

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*... the process and the payment amounts,  
have not reflected a true understanding of  
what a person experienced as a child nor  
the lifelong impact.*

A. That's certainly what a lot of people have said to me and I agree that some of the amounts of money do indicate that, you know, do people really understand the enormous impact that childhood sexual abuse by a person in a position of trust and power has on their life and their health and wellbeing, as well as the fact that it has taken so long for them to have this issue adequately dealt with, and that that has an impact on people's lives that is crippling; it is an impact that they feel could have been addressed earlier that may have been able to give people the capacity to find more peace, have more peace of mind.

But the issue is unresolved and is still unresolved for many people, because people do struggle with do church authorities really understand the experiences of victims as they have lived out their life? And that's compounded sometimes by the way in which offenders have been dealt with.

Q. You understand, don't you, that The Salvation Army's claims process is about ex gratia payments, not about compensation, as we might use that expression in a legal sense?

A. Yes, I do. I understand the amounts aren't meant to reflect personal harm and injury. But there is still the emotional experience and perception that people have about do people really understand how this has affected their lives and the lives of their children and their partners and their extended family; and what loss of opportunity, what loss of health has been a result of this. Because the processes and the payments don't necessarily reflect that true understanding of the depth of harm and injury and impact that it has had on their life.

As well, I feel that a lot of people feel that The Salvation Army and churches do not understand the impact of not reporting abuse when abuse has occurred, or sexual abuse particularly, that there has been a lack of depth in understanding the power the church has in the community. And when and institution such as The Salvation

1 Army or any church does not want to hold people to account  
2 for those crimes, that has an enormous - has a secondary  
3 impact on people that is very crippling and leaves people  
4 very shattered in terms of where they can go to be  
5 understood fully, and that they are up against a very  
6 powerful institution.

7  
8 Q. Can I bring you back to the payment issue and the  
9 ex gratia payment. You accept that this is a difficult  
10 area. Some survivors would say no amount of money is  
11 really going to redress their experiences and the lifelong  
12 impact; you would agree with that?

13 A. Yes, but I don't agree that any institution or society  
14 should leave it up to the survivors, alone, to come up with  
15 the solution to how these issues should be addressed. We  
16 have standards as a society that should be equitable, that  
17 people --

18  
19 Q. I don't think anybody is suggesting that the survivors  
20 come up - the proposition I was putting to you is that it's  
21 difficult for some people, who would say no amount of money  
22 is really going to have that redress. I'm not suggesting  
23 the survivors come forward, but there is a difficulty, is  
24 there not, in trying to meet a broad cohort of survivors in  
25 terms of their expectations and their reaction to what  
26 money means in terms of their experience.

27  
28 I think you have said earlier, some people choose not  
29 to go through the process at all because any amount would  
30 be an insult. It is a difficult area, is it not?

31 A. I think money is very important as a statement of  
32 restitution, and I think that many victims/survivors may  
33 not be able to articulate that as clearly as some people  
34 might want them to; that people feel that they have been  
35 labelled and judged and called money-grabbing. That is not  
36 the intent that they have in seeking justice.

37  
38 It has to be a reflection of creating a just response  
39 to, you know, a whole range of practices and criminal  
40 behaviour. That's what people are asking for, and  
41 restitution - it may not be able to be based on the same  
42 criteria of personal harm and injury in a compensatory way,  
43 but we do need to decide what it can be based on. And one  
44 of the things that victims/survivors need it to be based on  
45 is a full appreciation of the impact of the childhood  
46 sexual abuse and the conditions in which people lived in  
47 institutions, as well as the continued anguish that it has

1 taken to try to be recognised and heard, and that it was -  
2 that this did occur out of people who were in a position of  
3 power. It wasn't only in their own families that some  
4 people experienced abuse, they experienced it again - or  
5 some people hadn't experienced abuse in their families;  
6 they had come up on hardship. And The Salvation Army, or  
7 any church, that was entrusted by the community to care for  
8 children who were vulnerable - that power was abused by  
9 members of their staff or their religious hierarchy.

10  
11 That's what people need to understand that people  
12 know, and that any just response will have that at its  
13 centre, not about what the church needs to do to minimise  
14 the cost or what the church will do to minimise the impact  
15 on the institution itself. People need to know, clearly,  
16 that their seeking a just response is at the centre of any  
17 process of restitution, and I think that is the issue -  
18 that people are not confident that the processes to date  
19 have always reflected that.

20  
21 Q. Are those the sorts of matters that you think should  
22 play a role in the benchmarking that you have talked about  
23 earlier?

24 A. I think that any set of principles that are agreed to  
25 by any church - and hopefully it will come through this  
26 Royal Commission - that, you know, we have to have a better  
27 process that puts at the centre the victims and the justice  
28 that the victims want to see.

29  
30 Now, that justice may not look the same for everybody,  
31 but I don't think we should reduce it to what is - you  
32 know, that some people might not want money, because it is  
33 critical that there is restitution. We have principles  
34 across all kinds of domains in our society where if you  
35 experience harm and injury and a duty of care - you know,  
36 that there is financial restitution. Why shouldn't that  
37 apply to this population of people?

38  
39 Q. What do you think the ultimate objective of the  
40 process should be?

41 A. A just response.

42  
43 Q. What does that mean?

44 A. Well, I think that a just response is what I've said -  
45 that people at the centre of it are the victims/survivors  
46 who have a lot of insight, they have a lot of knowledge,  
47 they have a lot of understanding of the limitations that

1 may impact on which pathway is taken.

2  
3 We need the legal protection of people to be not  
4 dismissed. We can't replace one process by saying you  
5 can't go through another. There does need to be a whole  
6 range of factors that need to simultaneously be looked at,  
7 like law reform, the compassionate response or the response  
8 of restorative practices.

9  
10 If the churches are really wanting to engage in  
11 restorative justice, well then that will require  
12 a commitment and an articulation of what restorative  
13 justice is and that there is full transparency about how  
14 decisions are made, that there aren't decisions made in the  
15 office, that the victims don't understand what the  
16 benchmarking and criteria is.

17  
18 You know, people need to be vindicated - that it is  
19 not their responsibility to have to tell churches what they  
20 ought to be doing. Churches have to take this  
21 responsibility very seriously and, you know, can do so from  
22 their own theological positions if they choose to, but it's  
23 something that has to be done simultaneously with the legal  
24 profession, the health profession - you know,  
25 victims/survivors need to be part of it, and the church  
26 authorities.

27  
28 Q. Can I ask you to look at paragraph 34. You say:

29  
30 *It is clear all victims are different and*  
31 *want or expect something different from the*  
32 *process.*

33  
34 What is the process that you are referring to in that  
35 paragraph?

36 A. The complaints process.

37  
38 Q. You then make the observation that you think isolating  
39 the apology out as a separate part of the process is  
40 a problem. Can I just take you back to the discussion that  
41 we had a little earlier about the importance of the apology  
42 and engagement, but also your suggestion about the need for  
43 independence. I think his Honour said, well, the reference  
44 to "claims process" was, in a sense, the compensation or  
45 the ex gratia payment side of it. This would rather  
46 suggest that you would not agree with separating out those  
47 processes. You say there:

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*The apology needs to be --*

A. The apology at the moment, the way in which the apology is isn't always connected to the process of how the restitution is being decided. And sometimes the apology has been inadequate in terms of all of the issues that a person needed to be addressed in it.

So the personal experience of sitting with someone in a meeting and saying, "I'm sorry", but not having that connected to what were all the conditions, what were the criteria for deciding how an ex gratia payment would be made, for some people, is confusing.

So the separate - you know, you might need a separate process around a structured way of looking at restitution, but it needs to be connected through a set of principles and how these things are coming together. The pastoral experience can't be separate to a process of restitution.

THE CHAIR: Q. Ms Walsh, if a process could be devised which did meet a principled and transparent meeting with a survivor, do you think you could, if you set you up such a process, then take away common law rights?

A. I don't think so.

Q. You think common law rights would have to remain irrespective?

A. I think that would be the view that many victims/survivors express, because some - you know, the extent of the abuse, the extent of what has occurred is different for some people. But it is not my area of expertise. But certainly, you know, the abuse that some people have experienced - people would still believe they should be able to have the right to go to the civil court.

Q. You know in some areas, or a number of areas, that has changed?

A. Yes.

Q. And we have provided processes which are outside of the ordinary course?

A. Yes. And maybe that could be arrived at by - I don't have the technical knowledge around the law to be able to --

1 Q. You are probably lucky.

2 A. Yes.

3

4 MS EASTMAN: I am mindful of the time, your Honour.

5 I will move through as quickly as I can.

6

7 Q. Can I ask you to look at paragraph 38. It is under  
8 the heading "Pastoral Support". In skipping over the  
9 paragraphs on legal assistance, we have covered that,  
10 I think, earlier today, and I don't want to traverse those  
11 matters again. So can we deal with pastoral support,  
12 paragraph 38.

13

14 You say it has been a view of some victims that an  
15 ongoing voluntary relationship with The Salvation Army is  
16 an element of their own healing journey, and that would be  
17 appropriate for some but not all victims or survivors; is  
18 that right?

19 A. Well, that's what people say.

20

21 Q. And in terms of an ongoing voluntary relationship with  
22 the army, what is that a reference to - the reunions, the  
23 memorialisation of the survivors? What do you mean by  
24 that?

25 A. It could be a whole spectrum of things.

26

27 Q. Such as?

28 A. Well, I think that some victims/survivors have  
29 certainly said that, you know, if they see a publication  
30 that The Salvation Army puts out, they don't see anything  
31 in those publications that talks about the inquiries that  
32 have been had or that recognises publicly to the church  
33 members what has occurred through the Forde Inquiry or  
34 through the senate inquiries or - you know, even the  
35 current Royal Commission; that people have seen  
36 publications of the church and say there is nothing in it  
37 that ever mentions that this is part of the history of the  
38 church.

39

40 Q. But that is publications and public comment by the  
41 army. I want to bring you back to --

42 A. That's part of what people would like.

43

44 Q. -- what do you mean by "voluntary ongoing  
45 relationships"?

46 A. Some people are engaged in services that The Salvation  
47 Army run now and some of those people have indicated that,

1 you know, they want - they have an ongoing relationship  
2 because they are receiving services. That's helpful for  
3 them. If they can talk to those people involved in  
4 provision of services about the history of The Salvation  
5 Army in regards to children in care, that - but other  
6 people would not want to go, and refuse to go, to a service  
7 that is provided by The Salvation Army or any church, if it  
8 reflects the institution they were in as a child.

9  
10 People would like the church to recognise that -  
11 The Salvation Army - to have a full appreciation and  
12 understanding of that; that it just triggers too many  
13 memories for them, the institutional settings of some of  
14 those services. And other people want to be involved in  
15 educating The Salvation Army about how they can value  
16 people in recognising their past experience when they are  
17 engaged with them.

18  
19 Q. I'm not dwelling on reunions specifically, but if  
20 I just use the reunions as an example --

21 A. The reunions for some people are very important. The  
22 boys who have talked to The Salvation Army about the  
23 memorials - the men who have talked about the boys homes;  
24 you know, there probably needs - it would be good if there  
25 was a proactive response to the women as well, or whether  
26 it is dependent on, you know, women coming forward to say  
27 they want to be involved in that.

28  
29 Some people would never go to a reunion because it  
30 would be too painful or they are not in a position of  
31 strength at the moment where they feel that they would  
32 benefit from it.

33  
34 Q. Mr Lucas said yesterday that he had been to some of  
35 the reunions and he described his observations of the  
36 interaction between the survivors and officers of the army  
37 who attended the reunions. Have you had a similar  
38 experience? Have you attended any reunions?

39 A. Yes, I have been to one - I can't remember which one -  
40 Riverview. I have certainly talked to the groups that have  
41 been involved in working through that reunion.

42  
43 Events like that are important to some people and not  
44 important to others. It is just about making sure everyone  
45 knows that they are welcome, and if they don't want to  
46 come, that they don't have to come, obviously.

47

1 Q. Have any of the survivors suggested to you what they  
2 might wish to see by way of a voluntary ongoing  
3 relationship with the army, that you are able to talk  
4 about?

5 A. Some people certainly have indicated they would be  
6 interested in talking with the Salvation Army about - and  
7 some may already be engaged in talking about - what  
8 restorative justice means. People with experiences of  
9 addiction who have used The Salvation Army's services have  
10 talked about wanting to talk to The Salvation Army more  
11 about the impact of their childhood and how that can  
12 enhance their services today, if it was acknowledged in a  
13 more, you know, systemised way by professionals working in  
14 that area.

15  
16 Other people, I think - you know, we don't facilitate  
17 anyone's conversation with The Salvation Army or, you know,  
18 with any person that they've struck up a relationship with;  
19 we encourage people to do what they want to do.

20  
21 Q. But no-one has made any suggestion about what  
22 memorialisation or the nature of contact might be, just in  
23 the course of passing and attending Lotus Place?

24 A. Well, I think people would like to see more public  
25 recognition of victims/survivors by the church.

26  
27 THE CHAIR: Q. It has been suggested to us that there  
28 maybe should be a national memorial?

29 A. I think many people would agree with that. You know,  
30 there is a whole range of things that --

31  
32 MS EASTMAN: Q. That's why I am asking you.

33 A. Do you want all of them?

34  
35 Q. Yes, if there are any things that you have heard in  
36 the course of your engagement with survivors that you think  
37 would be positive for the survivors in terms of  
38 relationships with The Salvation Army, then I think the  
39 army would be very keen to hear what you have to say?

40 A. Well, I think you should engage in a consultation  
41 process with the Care Leavers Network, the AFFA group that  
42 meet - the local group, it is often a very localised issue  
43 around what memorials and reunions; attend events that  
44 might be the broader - you know, looking at all churches  
45 and governments; support initiatives that victims/survivors  
46 put on.

47

1 But I think there needs to be that process of  
2 engagement and consultation, because, you know, there's  
3 a lot of views. It is not for me to put up one or two.  
4 I think you would find people would engage in a process if  
5 you were to start that process with victims/survivors.  
6

7 Q. Can I ask you now to turn to paragraph 39. You speak  
8 in paragraph 39 about counselling services. Just in the  
9 interests of time, are you saying in this paragraph that  
10 there have been some survivors who have received an  
11 ex gratia payment, together with assistance for the payment  
12 of counselling services, but that they have used their own  
13 funds to pay for counselling as well? I'm just trying to  
14 understand what you are saying there.

15 A. Well, just a point that victims make that they don't  
16 want to - they want the ex gratia payment not to include  
17 the counselling; that counselling is something that is  
18 offered and paid for separately. But some people have used  
19 their ex gratia payments to facilitate their recovery and  
20 access further services beyond the 10 counselling sessions.  
21

22 Q. You are aware, aren't you, that the practice is that  
23 in addition to the ex gratia payment, if a survivor seeks  
24 counselling services, that the army will pay for  
25 10 sessions; at the end of the 10 sessions, the counsellor  
26 will provide a report indicating whether or not further  
27 counselling is appropriate, and, if it is, that the usual  
28 practice of the army is that that counselling would  
29 continue, with the advice coming from the counsellor as to  
30 how long it might be required - are you aware of that?

31 A. Yes.  
32

33 Q. If you accept that we would - when I say "we",  
34 The Salvation Army - be greatly concerned to hear that any  
35 of the survivors who needed counselling didn't receive that  
36 ongoing counselling and had to use their ex gratia  
37 payments - that that would be a matter that the army would  
38 like to know about and follow up? Are you aware of that?

39 A. Yes.  
40

41 Q. Can you specifically identify - I'm not asking you to  
42 do it on the public record - who those individuals are?

43 A. I can certainly go back. It is a comment that has  
44 been made by several people, that they have used their  
45 ex gratia payments to continue their own psychological  
46 recovery. It's just a fact. It is not - and maybe they  
47 chose to do that. But I can certainly follow up.

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Q. I think what the army would appreciate knowing is if any one of the survivors was left in a position where they required ongoing counselling and somehow that slipped between the gaps - are you saying that you can identify who those individuals are and --

A. I can follow up on it.

Q. -- would you be willing to provide that information to the army?

A. Yes.

Q. Paragraph 40. In addition to identifying what you say is "the main problem" in paragraph 29, in paragraph 40 you say:

*... the whole problem with the process in general is there is confusion between the legal, pastoral and financial elements of the process.*

Can I just ask you to explain what you mean by that?

A. I think I have explained it before, that for people it is not clear how the elements fit together, and that results in confusion; it results in people feeling a sense of maybe being satisfied with a meeting and the engagement they had, but not being satisfied with the whole process from beginning to end, from when they first made contact until after they have had their counselling or six months later when they are reflecting on it. You know, this is an issue for people. They do not necessarily feel that it is a comprehensive process and that they fully understand how decisions were made, what the end result was. They understand that they accepted it and that they have agreed to it, but they might not necessarily agree with all the elements of it on reflection.

Q. Does this represent your impression with respect to The Salvation Army specifically or church-based organisations generally?

A. Both.

Q. You say:

*Personally, I question whether it is appropriate for The Salvation Army to be running these processes.*

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What do you mean by "processes".

A. Well, I think I have a personal question based on a lot of feedback, based on some of the new information that has even come through the case studies of the Commission, about whether, you know, this process, as it is, is the best outcome for victims.

Q. But what do you mean by "this process"?

A. The complaints process, as it is, does deliver the best result.

Q. Why do you say you question whether it is "appropriate for The Salvation Army to be running the processes"? That's, I must say, a very harsh criticism.

A. Well, I think a lot of people would like some independence around the compensatory ex gratia payment.

Q. By "appropriate", you are not talking about capacity or ability; you are talking about independence, is that right?

A. Yes.

Q. So the point that you make in paragraph 40 is the same point that you have made earlier in paragraph 29?

A. Yes.

Q. Do you have anything at all positive to say about your observation of The Salvation Army's processes over 14 years?

A. Well, there is a process which people have been able to access, in the absence of when there wasn't, is something that is positive for people, and I think that The Salvation Army has attempted, in recent years, to make that process more predictable. But I think that the issues around how decisions are made and how transparent the process is and that victims are on the same sort of understanding still needs more work.

Q. With respect to the individual cases that you refer to in paragraph 41, is it the case that those four cases are cases that you were asked by the Commission to comment on specifically?

A. Yes.

MS EASTMAN: Thank you. If your Honour please.

1 THE CHAIR: Mr Agius, do you have any questions?

2

3 MR AGIUS: No, I don't, thank you.

4

5 THE CHAIR: Mr Beckett?

6

7 MR BECKETT: Nothing in reply. Your Honour, we have had  
8 a look for that document, the Charter for Redress, and  
9 while I understand Commission officers have seen a copy of  
10 it, we don't have one. I understand a copy was shown by  
11 representatives from Micah to officers of the  
12 Royal Commission, but then it was returned to them. We  
13 will request a copy and have it made available to the  
14 parties.

15

16 THE CHAIR: Very well. Thank you, Ms Walsh. You may step  
17 down. You are excused, but we may want to talk to you  
18 again.

19

20 <THE WITNESS WITHDREW

21

22 MR BECKETT: Your Honour, we have Mr Luthy as the next  
23 witness, but given the time, I suggest that perhaps  
24 tomorrow morning might be the time.

25

26 THE CHAIR: We will start at 10 in the morning. Yes, we  
27 will adjourn.

28

29 **AT 3.55PM THE COMMISSION WAS ADJOURNED TO**  
30 **THURSDAY, 3 APRIL 2014 AT 10AM**

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