

**TRANSCRIPT OF INTERVIEW****RE:** [REDACTED]**11 MARCH 2014 AT 2 PM**

JG I am in a meeting with [REDACTED], it is the 11<sup>th</sup> March at 2 pm. [REDACTED], thanks for coming in. You probably know a little bit about the process. You've made the telephone call so you've probably done some investigation into what the process is about and who I am, but would it help you if I just told you a little bit about how it works?

[REDACTED] Yes, it would a bit. I have a basic understanding, merely from looking on the website, as to what the process is, but it's pretty basic.

JG Yes, OK. The system is called The Melbourne Response. It was set up about 17 or 18 years ago now, by then Archbishop Pell, and there are essentially three aspects or three pillars to it. There is the Independent Commissioners, of which I am one of two and Peter O'Callaghan is the other one, and he was alone for 15 or 16 years. We investigate allegations of sexual and other abuse by priests, brothers, nuns and religious in the Melbourne Catholic Archdiocese. Then there is Carelink, which is a counselling professional support service for victims of sexual abuse who are entitled to assistance by way of counselling, sometimes with a Carelink counsellor or, if you've already got your own counsellor, support is funded by them. And then thirdly there is the Compensation Panel, in the event of a finding by myself or Peter O'Callaghan that sexual abuse has occurred, you are entitled to make application to the Compensation Panel. Anyway, there has been a host of luminaries chairing it, from Sue Crennan to Alex Chernov. David Curtain is the current chairman. It is a three person panel who, having accepted and being bound by our determination as to the facts in relation to what you say, look at the impact on the victim's life and award compensation up to \$75,000. So I really having nothing to do with either Carelink or the Compensation Panel in a direct sense, but in an indirect sense I do in terms of referring people to Carelink and referring them on to the Compensation Panel. My job is to investigate allegations of sexual abuse and make a determination in writing.

The nature of the investigation varies according to a number of things, including whether the accused person is still alive and, if they are still alive, according to whether they make any admissions or denials. Can I just say at the outset one important thing and that is, I don't know anything about your allegations yet, but in the likely event that your allegations amount to criminal conduct you are, of course, entitled to make a complaint to the police and we encourage you to do so. Regardless of whether the respondent is deceased, Victoria Police, particularly in recent times, stress that they are still interested to hear from victims even if the accused is deceased and, of course, if the accused is not deceased then they are interested to see what investigation they can carry out. So we encourage you to go to the police. If you want to go to the police at any stage during the process, you just tell me, I'll pause what I am doing, only pause, not stop, and encourage you to allow the police investigation to run its course. When that is concluded, we pick up again. It's for a host of reasons which you would readily understand, that it is done one at a time.

Yes, let the police do their job first and once that's out of the way....

JG Yes. We've got a standard acknowledgement form which I will give to you in due course which I will ask you to sign acknowledging that I have informed you of these rights. They are rights which I know that you know that you have. Very few victims of sexual abuse don't know they are a victim of crime. Most people are very well aware of it. So that is that part of it. I suppose what today is about is listening to you tell me as much or as little as you want to tell me. It can be a one stage process, it can be a ten stage process. You can come in today and say look, thanks, I just want to put a face to the name and I want to go away and think about it, or you can just tell me your story and I'll go about completing my investigation. I know it is a difficult thing to walk into a stranger's room and talk about these things, but it is entirely up to you how far you go with it and how much detail you want to give. In due course, I will need to get some details because that is the nature of the job that I have - to make a determination. But there is no rush and you can do it at your own pace.

OK.

JG I'll just get some basic details from you. Your full name?

■ [REDACTED]

JG Date of birth?

■ [REDACTED]

JG Contact details. What is the best way to contact you?

■ I'll give you my work number – [REDACTED] and my mobile is [REDACTED].

JG OK. And you're a solicitor at [REDACTED]. How long have you been there?

■ Coming up for 11 years.

JG OK. And I think you told me on the 'phone you do commercial litigation?

■ Yes.

JG OK. Where were you before the current firm?

■ I was with a guy who, before I hooked up with him, was a [REDACTED] out in [REDACTED]. I was with him for about five years. I had two years at the Bar and before that...I went to the Bar when I was admitted, I studied in later life, and before that I had ten years at the National Crime Authority in administration and that's where I did my law degree.

JG Oh, right.

■ And before that, I had...how many years...I suppose around about 20 years at the Department of Defence, as a civilian, not a serviceman.

JG Oh, right. Well, that is a less conventional path to the law, and through the law.

■ It is.

JG Alright, so born in [REDACTED], what does that make you?

■ [REDACTED]

JG And you told me on the 'phone this much, that you want to make a complaint about [REDACTED]. Alright, tell me about how you met him.

█ OK. I met him when he was the Assistant Priest at █ I went to primary school there. I was an altar boy and our house, we lived directly across the road from the church and the school. So I knew him as the priest there.

JG What was the name of the parish?

█ █.

JG █

█ Yes, in █.

JG Coincidentally, according to this note, he went from █ to █.

█ That's right, he did. I visited him there once with my parents when he went to █

JG OK. So, whereabouts did you live in █?

█ █, which was directly across...you walked out our door, across the road and there was the church and the school. And the parish house, presbytery, was across the schoolyard behind the church.

JG OK, so that's where you met him, just from being a parishioner and an altar boy?

█ Yes.

JG OK. Where were you at school?

█ I went to █ primary school and then secondary school I went to █.

JG Right.Until matric or HSC?

█ Yes, matric.

JG OK. And what age were you when you first met █

█ Probably would have been around about 9 or 10.

JG About █

■ [REDACTED]

JG This isn't a test, me looking at a piece of paper here. The records indicate he was appointed to [REDACTED], on [REDACTED] and he was there until [REDACTED]

■ Right. I think from memory Father [REDACTED] was the parish priest, he was his boss.

JG Right. Do you know his first name?

■ No, can't remember.

JG So you were about 9 or 10 and it was in the course of being an altar boy that you met him, other than seeing him up there doing mass?

■ Yes, that's it, that was the extent of it.

JG OK. And then what happened?

■ One morning I served mass, it was in the holidays, I know it was in the holidays because of the pretext that had got me there, into his house. So it would have been the summer holidays, [REDACTED]. Served mass and he just asked me, what are you doing today? I said, I'm going to the beach with some mates. He said...and I don't know whether he asked, referred to this, or whether I volunteered, but I said I've got some new bathers and his response was, maybe you'd better come and let me see them to make sure they're modest.

JG Right.

■ So, later on that morning, I went over to the parish house, knocked on the front door and he opened it. I don't know if anyone else was in the house. We went into what I thought was a large room, looked like a study or an office, more a study. It was pretty dark but it wasn't totally dark. The curtains were drawn. And I can't remember a great deal about the conversation, but he said he wanted to see the bathers. So he asked me to take down my shorts, which I did, he asked me to take down my bathers...

JG You had your shorts on under the bathers?

■ I had the shorts on over the bathers.

JG Sorry, yes, shorts over the bathers.

■ Yes.

JG And what were they like, Speedo-type?

■ Yes, they were a bit bigger than Speedo-type, yes. And he was sitting in a pretty large sort of leather chair. He got me to sit on his knee and then he started fondling me, fondling my genitals.

JG So you at that stage had taken down your shorts, taken down your bathers....and completely off?

■ No, they were kind of around my ankles.

JG And did you have anything on your top?

■ Yes, I had a t-shirt, certainly something on my top.

JG And so he said, come and sit on my knee? Which you did?

■ Yes.

JG And he was fondling you?

■ Yes.

JG Right, OK. What happened next?

■ I can't recall much of it, I think I was just sort of startled and unsure of what was going on. I can't remember much conversation, how the meeting ended, except that I got up at one stage....I can't even remember if he warned me, don't mention this to anybody, don't speak to anybody, anything of that sort. But I got up and pulled up my shorts and he led me out to the front door. There was a....when we went into the house, there was a hallway and from memory his study was off to the right hand side, so we just came out of his study and went to the front door. And that was it.

JG Can you remember whether the door was open or shut?

■ When I arrived, it was shut but I can remember when....

JG During the abuse, do you remember whether it was open or shut?

■ His study door was shut.

JG During that.

■ Yes.

JG Locked? Do you remember?

■ Can't remember, no. I just remember that it was a large room. It was dark but not so dark that, you know, you couldn't see. There was a light on, but I remember thinking that I couldn't see out of any of the windows.

JG And you don't have any particular memory of him saying to you during it or of you saying anything during it?

■ No. As I said, I think I was just startled, I really didn't know what was going on, sort of like a deer in the headlights.

JG What happened next?

■ I went home and until I mentioned it to my wife about five or six years ago, I never spoke of it to anybody at all, not my parents, my brother. My brother and I did compare notes when he first came to notoriety down at the Supreme Court, it was in the newspapers and on the TV and, of course, he was an altar boy too and we both....'Boy, ■ you know, and he said to me, did he get you?' And I said 'Oh no'. And I said the same thing, 'Did he get you?' And he said 'No, I would have belted him'. And I think, knowing my brother, he would have, even though he would have been about...younger than me. So, nothing said to anybody in all that time.

JG And did you have any further communication with him?

■ I remained as an altar boy. We moved from ■ before he moved on, but my family were pretty devout and they kept in contact with him and they knew he had gone to ■ and we, as a family, went and visited him one day at ■ And I seem to recall, I think when he went on to ■, we went and visited him on occasion. He did take me down to ■ as it was then, at ■ on a day outing.

JG How old would you have been then?

■ About 12, 11 or 12.

JG And you said you went to see him at ■

■ Yes.

JG That was ■ so by then you would have been 20. With your family?

■ Yes.

JG Did you ever raise with him what had happened?

■ No.

JG And he never with you?

■ No.

JG And he never made another attempt to abuse you?

■ No. Sorry, I have a very vague recollection that there was another occasion but I really can't remember anything about it. That's very vague.

JG That's alright, you've got a recollection and thanks for indicating the fragility of it. Is it of being in the same room?

■ Yes.

JG And is it of being after the one that you described?

■ Yes, it's the first one that I can remember.

JG OK. And so, are your parents still alive?

■ No.

JG So they were spared the news. How many siblings did you have?

■ A brother and a sister.

JG Both younger?

■ Yes, my brother is about 18 months younger than me.

JG And your sister?

■ She is about ten years younger, so she's quite a bit younger, in her 50s.

JG And then, you told me as recently as five years ago you finally said something to your wife?

■ It would have been five or six years ago.

JG And what brought that about?

■ We were having a bit of a rough trot and I guess I wanted to make sure that we weren't going to drift apart and I just felt, I've got to tell her something that is so intimate to me that it will show how much I consider her....I can't remember the exact prompt for it, it may have been at the time, it was about ■ when he was last in court, I actually went along to the County Court on that day to see the sentence...

JG In ■ he was sentenced to ■ prison following conviction on ■ counts of indecent assault.

■ It may have been as a result of that.

JG And so you went along and saw that?

■ Yes, I went to the court. Was it ■? I can't remember. He was ...

JG Sentenced him to ■.

■ Yes.

JG So obviously by ■ it had been bubbling away beneath the surface and troubling you sufficiently for you to go and have a look.

■ Yes. When he first came up in ■ I took a fair amount of notice of it but didn't really....I tried not to let it sort of bother me or think much about it, and over the years I've got to say I haven't thought a great deal about it, but I think what may have even driven me was his attitude in the court, and seeing him there. I doubt that he saw me, he was in the dock and I was off to the side. And even if he had, I don't think he would have remembered me. But it was his attitude, and particularly the summary

the judge gave of him, an apparent lack of remorse and his supposed lack of understanding that what he had done was so wrong that just got me, you know.

JG Yes, fair enough.

■ I've been having psychological counselling for about three years now. I had depression, two bouts of, the most recent about four years I suppose I've been on medication. I mentioned that it had happened. I've had two counsellors, one left so I just took on another one. I mentioned to her that this had happened in the past and her response was, when you are ready to talk about it we can talk about it. But I just don't know, I just didn't want to bring it up. But then more recently, it would have only been about six weeks ago, I mentioned it to my present counsellor who said the same thing. If you want to deal with that, talk about it, we can do that and a fortnight later I went back and I told her what I told you, in detail, which was pretty traumatic, because I hadn't really thought of the detail over the years.

JG Brings it back pretty starkly.

■ It did, yes. I had to do it in two stages, or I did it in two stages because I had to....one I spoke in the past tense and I went back the second time and she said, right, now go through it in the first tense as if you were reliving it.

JG OK, that would have been difficult.

■ Yes, that was the worst. So....

JG So, the first time you spoke to the counsellor....was that the previous counsellor? And roughly what would have been that year?

■ That would have been about 2010, about four years ago.

JG After you had been to court and seen....?

■ Yes.

JG Right. And the reason you moved counsellors is because that one moved away?

■ She moved away, yes, and I just went and saw another one at the same clinic because she recommended it. My GP knows now, too, because after I had spoken to my counsellor, I just told her that it had happened, that I'd been abused, but no detail.

JG In terms of bits and pieces of mechanical evidence, do you have old school reports or any piece of paper that links you with the primary school or the parish?

■ I might have, yes. I'll have a look.

JG Old photo's.....

■ Yes, I think I might have somewhere. I think I've even got a book that I got for a prize.

JG It might be inscribed, an inscription in the front or something. Just have a bit of a fossick about and see if you can turn up school photo's or school reports, something placing you at the primary school, any book or something like that. In terms of having reported to your counsellors, there's no enormous probity value in the fact of the report being made or not made, people tell no-one or people tell everyone and people tell a few people. If you've told no-one, it wouldn't really add or detract from the validity of the complaint. Given that you have, just give some thought to what your attitude would be to authorising a report from those counsellors....

■ I've already thought of that.

JG ....assuming the old one can be located and the new one is fine to do it. The purpose from my inquiry is quite different to what the Compensation Panel's will be. They will likely invite you to produce a report from your counsellors which talks about the impact upon you. For me, it is really just an historical report. You came and you mentioned this and he said this, this and this. That's all. Similarly with your wife, I mean it is a matter for you entirely. I don't think it adds very much for me to speak to her, either on the phone or in person, but it is a matter for you. If you feel that you want to have her have a chat with me. She might not even know you are making a complaint.

■ Yes, she does. She knows I'm here today.

JG I don't want to cut across anything there or cause any anxiety for her, but if you feel that you just want to have her speak to me and say yes, he did bring it up x years ago, it's just another little piece of information. OK. Now, in terms of counselling, would you like me to put you in touch with Carelink? They, as I said, you can either undergo counselling through Carelink or they can fund the counselling that you have

elsewhere. Why don't I give you their details, or I can do it for you. What would you prefer?

■ That would be fine, if you gave me the details.

JG Yes, OK. The person who co-ordinates things there is Sue Sharkey at Carelink and their phone number is 9663 5744. Sue Sharkey is the person who co-ordinates things there. Their email is [Carelink@cam.org.au](mailto:Carelink@cam.org.au). If you want to contact them, as I say I will email Sue as well, say I haven't made a determination but you are subject to some fairly rudimentary formalities being satisfied and I have no hesitation in making a finding to the effect that you were the victim of sexual abuse. Sadly, ■ has a tragic, prolific history of sexual abuse and you seem to me to fall right within the demographic in terms of nature of offence and age of the offence. It is a terribly sad story and I am very sorry that you had to endure this, it's an awful thing, but I'm really glad you came and spoke up.

■ For what it's worth, I sometimes, when I have thought about it more recently, it is all well and good with hindsight but I wish I had spoken up because I think I was one of his earlier ones, from what I've read of his history. But then I look at it and say.....

JG Well, you can't carry that burden as well ....

■ No, no, I don't now, that has been put to bed.

JG It seems to me, for what it's worth, that there were a number that pre-dated yours. One of the earlier is ■

■ Oh, right, he must have been at the seminary.

JG He wasn't ordained until ■ It says that ■, it sounds like a generous span, so it's nominated as a two year, three year period. It might have been ■, but there are others that seem to be ■..terrible, so I understand that you're saying but a nine or ten year old kid is powerless to prevent it, powerless to resist and powerless to do anything about it afterwards. That's it. Alright, ■ is there anything else you wanted to tell me about?

■ No, I don't think so at this stage, thanks.

JG OK, well, I think it covers enough territory for me to move forward. I'll give you this acknowledgement, you can take that with you and read it and sign it and drop it in. Have you got a copy of the....have you seen online details of my appointment and so forth? Obviously, everything you tell me is confidential, so I will keep it confidential unless and until you tell me to do otherwise, and if you want to speak to the police just let me know and I will, as I say, just down tools temporarily.

■ OK.

JG Thanks again for coming in.

■ Thank you very much for seeing me.