

SPECIAL ISSUES ALLEGATION REPORT

14 January, 1994.

Regarding AB15 = K.C.

Complaint received from exstudent DD, 26 years old, of ARR. He accused AB15 of inappropriate hugging, squeezing and touching during 1980 at ARR. This was not genital. He was 13 years old at the time in Year 7.

- Time period of allegations - 3-4 months. He felt encouraged, even coerced and bribed with lollies and chips.
- After expressing unease with the relationship he felt AB15's attitude towards him became very negative.
- DD was also concerned other lads who seemed to be favourites of AB15.
- DD had spoken to a lay teacher when DD was in Year 12 who dismissed the concern and said there was nothing to it. DD was disillusioned.
- DD's original complaint was made to Headmaster WW. Provincial immediately flew to the location and interviewed the subject for a couple of hours. Reassurance was given of follow-up and the offer of therapy. This was not taken up.
- AB15 called to Sydney for interview with Provincial and Fr. BL. Two admissions of long distant past were made. General surprise expressed of current allegation. AB15 vague recollection of student.
- Distant situations both checked and those concerned seemed to be doing extremely well so no further enquiry was made.
- AB15 went into therapy. The Provincial contacted December, 1993 by school counsellor, LAJ
- Student in Year 11 having considerable difficulty in own life and has negative recollections of contacts with AB15. These were largely invitations to office with closed door and invitation to warm hugs. Nothing genital but felt used. Also concerned

-2-

about others.

- Had the feeling when declined any further approaches that a very negative attitude developed with AB15.
- Provincial travelled to interview parents, together with representative of local Community Advocate's Office.
- Family history with regard to the lad, AC, was very sad and now the lad is found to have a chronic arthritic condition.
- The lad has no communication with the mother at present. Father has taken on a role of communication with the lad, although that has been difficult. Father clearly out of a strong systematic military background.
- At the end of the interview the Youth Advocate pointed out strongly to the parents their right and even duty to look at the question of financial remuneration or damages.
- The Provincial pointed out the primary concern for the lad and to look at therapy as the most important help that could be given.
- It was also pointed out that the Brother concerned was not there to speak for himself and that it was out of compassion that an immediate offer of assistance was made by Marist Brothers.
- On 17 December meeting was had with the lad, the Youth Advocate and the father. A series of requests and demands made by the father which were quite reasonable on the whole were agreed to.
- The situation was made difficult by the lad not being prepared to talk about any specific details on the allegations as it was upsetting for him. The Youth Advocate, who took a very aggressive attitude, certainly not that of a therapist, was not helpful.
- The parents expressed satisfaction with the school therapist and also referred to a second therapist with the apparent approval of the school therapist.

-3-

- On conferring with the school therapist, it was found that she was most unhappy with the other therapist involved. She has made contact with the Canberra Youth Advocate.
- Discussions are in train to ensure the implementation of the various requests of the parents at the school concerned.
- It has been reported via a third party that the family has been encouraged to take legal action by the Youth Advocate and that they are considering this. This was not what they said in the interview.
- It has also been reported that the lad was encouraged to take an aggressive attitude and to continue a legal approach. Further suggestion from the Youth Advocate was to change the charge from sexual abuse to physical abuse.

#### Action with regard to AB15

AB15 has been transferred and will take up work in Sydney in a non-youth area. At this point in time AB15 denies any impropriety.

- AB15 will continue therapy when the new appointment has been taken up.

Alexis.

Bendi?

Note: In 2004 June it was found that a parent (REDACTED) had made a complaint to HM - B. de Phillips re AB15 in 1962. AB15 confronted and gave assurance of no future problem which parent accepted. Matter not mentioned to Provincial Superior. B. de Phillips knew of no other matter re AB15.

A.T. 5/10/04