SEXUAL ABUSE ALLEGATIONS

AN ENQUIRY APPROACH.

PHYSICAL AND SEXUAL ABUSE.

When I began to investigate the histories of the Christian Brothers Western Australian Boys Homes, almost immediately I had to take note of serious allegations concerning both PHYSICAL and SEXUAL abuse, often in the quite distant past, i.e. 35 to 50 years ago.

It was plain that some allegations were probably true, others possibly true, but around others there was endless ambiguity; and some were probably just plain lies. The question was, (and is), how to separate the one accusation from the other?

I am concerned with alleged events well back in time, but these notes are offered to others who may be dealing with more recent accusations against middle level authority figures, such as teachers and child care workers - and in a confusing world with its smorgasbord of conflicting values.

TERMINOLOGY.

CHILD PHYSICAL ABUSE.

In the back of their minds, many people would have an idea as to what 'child physical abuse' might mean, but, in fact, the term is full of ambiguities.

Some would say that any slap, cuff or chastisement of a child by a parent or teacher is an abuse. This is not a majority view, and it is not the view I take in my research.

Physical abuse, in the view here, is physical chastisement of a child (a young person before the age of 18 in Australia) beyond what the law of the land allows to a parent or teacher in dealing with a 'contrary' child.

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There is even more ambiguity in the term 'sexual abuse' than in the case of 'physical abuse. Much mumbo-jumbo is talked.

Strictly speaking, the term refers to 'indecent dealing with a minor beyond the course of nature' - or sodomy, buggery, oral or anal sex - in effect, genital contact with the child whether the child consented or not.

In the above sentence I have tried to go the 'heart of the matter', the crux of the issue. There are more sophisticated definitions.

In its Report to the Government of Western Australia in December 1987 the CHILD ABUSE TASK FORCE broadly defines child sexual abuse as:

The involvement of a dependent and developmentally immature child or adolescent in the sexual activities of
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an older person or adult, where the younger person is used for the gratification of the sexual desires or needs of the older person or where social taboos or family roles are violated.

The recommendations of the Task Force relate to children and adolescents under the age of 18.

The term 'child sexual abuse' is not specific to any particular sexual activity but refers to a range of behaviours from exhibitionism or the involvement of the child in pornography to explicit sexual acts with the child such as fondling, genital manipulation, intercourse and child prostitution.

In the wider question of CHILD ABUSE in a general sense, middle level authority figures need to be well aware of the definition given in the Criminal Code of "assault". Section 222 of the Criminal Code of Western Australia says:

A person who strikes, touches, or moves, or otherwise applies force of any kind to the person of another, either directly or indirectly, without his consent, or with his consent if the consent is obtained by fraud, or who by any bodily act or gesture attempts or threatens to apply force of any kind to the person of another without his consent under such circumstances that the person making the attempt or threat has actually or apparently a present ability to effect his purpose, is said to assault that other person, and the act is called an assault.

An assault is unlawful and constitutes an offence unless it is authorized or justified or excused by law such as is moderate corporal punishment of a minor by a parent or a school teacher.

Sexual abuse, 'indecent dealing', has been prosecuted for generations. There is some misunderstanding on this point. Many give the impression that sexual abuse was 'swept under the carpet' until the modern enlightened age of the last 20 years. This is not so.

It is a fact that sexual abuse has become a major public issue for open and vigorous debate over the last few years in a way in which it was not publicly discussed before.

Why has sexual abuse become a public issue since the 1970s? This would be a legitimate area of research. It appears that the two forces which have given the issue of child sexual abuse its place 'in the sun' are the activities of militant feminists and equally militant gays.

You may ask why this is so? Feminists are interested because 'child physical abuse' is viewed essentially as a male fault: men doing nasty things to boys and girls; and gays are interested because child abuse is a perceived fault of the conventional family and the traditional school, both of which are antithetical to homosexuals.

Christians committed to both the traditional family and traditional school should look with a little care at an issue raised by those who are or tend to be, hostile to their values - i.e. militant feminists and militant gays tend to be hostile to Christian values. Nevertheless, there is such a thing as 'child sexual abuse'.
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ASSUMPTIONS.

The following are some of my assumptions as I move to investigate allegations of physical / sexual abuse which have surfaced in my study of the history of the Western Australian Boys Homes.

* While people, men especially over the age of puberty, tend to believe they know all there is to know about matters sexual, there is, in fact, a great deal of ignorance.

* Sexual ignorance is natural as teenagers slowly develop their awareness of sexual affairs, even if this ignorance is hidden by a loud bandying around of crude Anglo-Saxon expressions.

* This problem is compounded as youngsters and young teenagers are bombarded from the media by all sorts of sexual ennuendo before they have any real experience in sexual growth.

* Until the 1960s, at least, comprehensive sex education presented in a factual but dignified way, rarely occurred. In British countries, parents are remarkable for their unwillingness even now - to give their children detailed and necessary sexual information.

* Therefore, until the 1960s (at least !) young people had to grow to adulthood without comprehensive sex education, picking up fragments of information from varied sources and often proceeding by trial and error.

* Ignorance and lack of confidence in these matters is more likely among young people of the lower socio-economic levels, especially, where, in addition, they lacked secure family support.

* It is among these young people that church workers / priests and 'Religious', in their charity tend to work.

* Moreover, middle level authority figures such as teachers, child care workers, clergymen and police personnel are 'sitting ducks' for accusations emanating from disturbed, resentful, ignorant, or simply vindictive adolescents.

* Consequently, for a researcher to obtain clear, factual, unvarnished truth regarding accusations of sexual interference of minors by authority figures is very difficult.

* Since, however, authority figures COULD abuse their position, accusations do have to be investigated.

May I offer a couple of examples to suggest how ignorance can operate in this matter of sexual allegations.
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In his bitter autobiography, Noel Browne, an Irish Cabinet Minister of the 1960s, and a long serving TD, recounted bitter memories of his education at the hands of the Christian and De La Salle Brothers in two west of Ireland schools in the 1920s.

Inter alia, Browne recalled that at Athlone he once saw a La Salle Brother - an 'obvious homosexual' kiss a pre-pubescent youth in the corridor. Now as told in Against the Tide, (Gill and Macmillan, 1987), the Brother in question was, in that culture and age, foolish to kiss a young lad, but the Brother had not committed an offence, or done something gross, malicious or indecent.

Browne's book is interesting in that he rose from the meanest poverty to one of the highest positions in Ireland due to his education in part, and has not a kind word to write about his teachers.

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On a lighter level, I once remember a 'worldly-wise' lad, all of 14 who expressed the view that a teacher at his school was 'slightly bent' as the teacher had hugged him around the shoulder with his arm. In this case, I found a 'bon mot' to hand and said to the youth: 'You don't keep yours up there, do you'? The lad went the colour of a beetroot, and hopefully that was the end of his mean thoughts about Mr. X.

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SEXUAL EUHEMISMS.

When accusations are made in the past, or more recently, against an authority figure, euphemisms are often employed: Mr. X. 'interfered with'; 'accosted' or 'sexually accosted' me; was guilty of 'misconduct'.

While these delicacies are fine in casual conversation, over the back fence, holding up the bar or in staff room learned chit-chat, they won't do in accusations that matter, and I try hard not to let those who try to proceed this way leave their accusation at that:

I always say to the accuser (in word or in writing): 'What did this Brother - 40 to 50 years ago - actually DO to you?'

At this point in word or follow-up letter, the reply often is, 'It's not very nice, Brother' or 'I don't like to' or 'You wouldn't like to hear it.'

However, I suggest to the accuser that this won't do: 'You (the accuser) have made a serious allegation against Brother X (even if he's long dead!) and words like 'interfered'; 'accosted'; or 'misconduct' can mean different things to different people. You have made the accusation - in effect you have to 'put up' or 'shut up' as the learned expression is in Australia.'

Using this approach - and quite unable to force anyone to reply, I have broken down some accusations against priests or Brothers in the Boys Homes.

Follow up questions are: When did this occur? (i.e. date, at least roughly); where (on the property) did it occur; was any other person around (using 'around' even in a general sense); did you protest at the time? why leave recounting the matter until now?

In all this, and other questions, my assumption is that the stories are probably untrue, at least as far as something gross, indecent or illegal is involved, though trying to remember that what is said COULD be true.
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ABUSE ALLEGATION: OBSTACLES TO CREDIBILITY.

* Third-Party Allegations: I have found that many allegations concern what happened to Bill or Fred or Mick - not to the speaker. The speaker often says, 'But I can trust him...or words to this effect. Often when the matter is raised it turns out that 'Bill' or 'Fred' or 'Mick' is dead, left the state, has not been seen for years or otherwise cannot be asked for his own opinion.

Third-Party Allegations can be dealt with by ridicule or rational criticism depending on the circumstances. Relevant points are: that the "Fred", "Mick" or "Bill" making the accusation could have been mistaken (sexual ignorance); trying to show off his sexual awareness (common among teenagers); or lying - or anyway can't be questioned and in this matter there MUST be questions - since allegations of sexual 'misconduct' ARE serious.

* Years after the Event. In the case of accusations made many years after the events are alleged to have occurred, relevant questions to the accusers are:

Why bring the matter up NOW? - after it has remained unspoken for 20, 30, 40 or more years? - witnesses are dead; the accused are often dead or very old; memories fade over past events, memories become increasingly selective, witnesses are dead, old, senile, vanished from the scene.

Strong passions in adolescence + sexual ignorance + fertile imaginations can lead to quite untrue impressions.

* Vicious accusations. Among youngsters vicious accusations against teachers, child care workers and other authority figures are usually motivated by revenge for some real or imagined slight or punishment. 'He gave me the strap so I'll....'

Among older people accusations of sexual abuse against colleagues are likely to be motivated by professional jealousy.

OBSTACLES TO CREDIBILITY: AMBIGUOUS CONDUCT.

Many - in my limited experience - most accusations of sexual abuse of minors concern nothing in the way of rape, sodomy, oral or anal sex, exhibitionism or taking photos for the purpose of child pornography - but rather accusations concerning ambiguous situations, concerned with the fringe areas vaguely related to sexuality - e.g. modesty.

These matters are essentially matters cultural, and do not really concern sexual morality or the criminal law.

These matters are complicated because some attitudes to areas vaguely related to sexuality change over time, among cultures, and within various social classes in the one country.

* SEXUAL ATTITUDES CHANGE OVER TIME.

In matters of modesty, attitudes change over time. We have read of neck-to-knee bathers being worn at the turn of the century; the skimpiest briefs are legitimate on many modern beachers - for both males and females.
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On the other hand, in the early twentieth century in Australia, for example, nude bathing among business and professional men at exclusive resorts was common. It was not, and was not taken as expressing a sexual preference.

In the late twentieth century, nude bathing takes place in different circumstances and religious people tend to be opposed to its practice.

* SEXUAL ATTITUDES: SOCIAL CLASSES.

In the modern age, general affluence has blurred class distinctions, and even speaking of 'the working class' can be slightly offensive, though it is permissible to speak of the underclass - that 10 to 20% of the population whom general affluence seems to have passed by.

Since class distinctions are blurred - blurred, not obliterated - many social mores are blurred also. Traditionally, and still to an extent, upper class youth have had a more casual attitude to modesty in group situations; working class youth are more likely to be rigid in covering all in group situations: showing after sport would be one area relevant.

In themselves, matters of modesty are not the matters for child abuse worries, unless plain exhibitionism is involved.

Though it would be offensive for me to say so, those I deal with over the allegations of child physical / sexual abuse in the West Australian Boys Homes, 1930s to 1960s; the child migration era; are from the hardcore working class (i.e. at the stage of their youth, when they values and attitudes were formed, and they reflect these realities without their realising it.)

All things being equal, working class youth are likely to have had the least sensible sex education; and middle class youth are likely to have been well-instructed.

* SEXUAL ATTITUDES: DIFFERENT CULTURES.

In many Asian countries and in the Pacific Island, young men often walk hand-in-hand with their friends. In some cultures men kiss and show marks of affection which in the Anglo-Saxon world would be taken as expressing an undesirable sexual preference.

* SEXUAL ATTITUDES: RELIGIOUS GROUPS.

In general, Catholics have always emphasised modesty (as a guard to chastity); covering all; Protestants less so - in all the areas mentioned above.
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THE SEXUAL UNDERWORLD IN INSTITUTIONS.

My own research is complicated by the fact that in each of the Institutions - more so at different times, less obvious at other times - there was a sexual underworld of crude experimentation among the boys - or some of the boys.

Since some of those who are making allegations against staff were (or probably were) part of this sexual underworld, their allegations have to be seen as possibly influenced by this fact.

John himself practising crude sex groping with other boys is likely to more readily suggest that some staff are engaged in like activities.

I allow for this fact when assessing the truth or falsehood of allegations - though I have yet to tell any accuser that I am aware - even from Government Reports (sometimes with names !) - that such an underworld existed.

Chaplains, through the confessional, were aware of some of these goings-on; and tried by sex instruction to curb the activities. I suspect that the accusations against the Bindoon chaplains are probably motivated in part by resentment at their 'interference' with boy-on-boy sexual activity which did exist.

SEXUAL ACCUSATIONS.

In view of all these caveats, a reader might say: how do you get to the truth of sexual abuse accusations at all? The simple answer to which is: 'With great difficulty'.

I take little account of vague accusations: I ask the accuser to say, preferably write, in detail what occurred to him. What did he DO to you?

The more precise the accuser has been the more likely he will be exposed to lying or inconsistency in his allegations.

The whole approach is to break down the allegations, but keeping in mind that after the breaking down process, if the allegations still seem strong, there might be something in them.

In assessing the truth of accusations, it is not just a matter of counting heads: twenty people might accuse Mr. X. - but they may be unchastely repeating one and the same story, picked up from a single source, which may be tainted.

With single isolated actions in the distant past it is virtually impossible to prove or disprove what is alleged to have occurred.

However, at times, interlocking precise accusations often dealing with repeated conduct over time, maybe over years. These accusations are likely to be true.

There are still further matters which have to be kept in mind:

* ROUTINE SUPERVISION.
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In schools, board schools, residential institutions and holiday camps for children and adolescents, the adults present will and must supervise to either a greater or lesser extent.

In the past, when resources were few, staff fewer and children many, tight supervision had to be the norm; i.e. in a residential institution where 140 young people must shower at 12 outlets within a 40 minute period, and with the knowledge that there is not unlimited hot water, discipline must be tight.

In such situations, sensitive youth may feel harassed where no harassment exists - or exists without malice aforethought. A certain harassment to the sensitive is built into the scene.

* HEALTH CARE.

In schools, boarding schools, residential institutions or holiday camps, supervisors may have to undertake health care. This will depend on circumstances.

In a rural orphanage of the 1950s with doctors neither readily available nor with abundant transport, staff could undertake health care matters, some of which could involve inspecting intimate areas of the body.

In such cases, the sensitive or the angry could feel threatened or resentful, but staff action could still be justified.

* DISCIPLINE.

Attitudes to the discipline of children have varied over time and between cultures - and sometimes between social classes in the one society. We have discussed physical abuse, but certain forms of physical discipline could have sexual overtones - bearing in mind, differences in sub-culture, the times or whatever.

A 1950s parent was perfectly capable of beating a child on the bare buttocks; in an urban day school this would have been rare, but in a rural institution of upper class boarding school, not necessarily so rare at all.

In 1991 such discipline would set off sexual resonances which it would not have set off in (say) 1951

SUMMARY.

There is a matter of definitions when the emotive words 'sexual abuse' are mentioned. The words are not necessarily self-evident in all their associations.

'The times'...sub-cultures...social class...these all affect attitudes to sexual abuse.

While there are exceptions, sexual abuse in a legal sense involves genital contact in its most basic sense.

What is often referred to as sexual abuse may be sexual harassment; may be dealing with ambiguous situations where the circumstances matter.

A teacher trying to have sex with a teenage pupil is one thing - a very serious issue; a teacher in a rural Boys Home inspecting for suspected V.D. may draw accusation or ennuendo, but simply be doing his job.
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A question which has been asked, and which will recur, on the sexual abuse matters, goes somewhat like the following: 'Why were certain Brothers kept in the Boys Homes / kept in the Congregation when they were obviously offending by sexually abusing boys - in the Homes ?

I think it is possible to make a reasonable answer to this, and would suggest along the following lines:

(a) In the years of the 1930s to the 1960s all things being equal, a child's complaint of sexual abuse would have been taken less seriously than today;

(b) However, clear accusations were investigated,

(c) An abuse allegation could be investigated and the child / teenager not be believed. In Boys Homes, for all sorts of reasons, staff tended to presume that the children would lie.

(d) Staff for Boys Homes were hard to find - not everyone, even in religious orders wanted the 24 hours a day / seven days a week commitment involved with difficult, (often) retarded youth. Authority was not anxious to be disciplining staff unless it was very clear an offence had been committed.

(e) It seemed reasonable to authority to warn and advise a Brother / staff member that he had come under suspicion, that he should avoid ambiguous situations (like having a boy in his bedroom under any circumstances), and be aware of the seriousness of the whole problem.

(f) (e) was often accompanied by a change for the staff member accused.

(g) While sexual abuse was considered seriously, it was not understood how serious the LONG-TERM results of sexual abuse could be for the victim. Had this been known (and it is a recent understanding) authority might have been 'quicker off the mark' in one or two suspected cases.

Of the points above, (d) and (g) are fairly critical in understanding what happened.

In the mid-1940s, Br. F. (accused of 'interfering with a boy' at Castledare) was transferred to Leura (near Sydney and removed from active work.

On the other hand, in my view, authority was slow and ineffective in dealing with the wide-ranging sense that something was wrong with the activities of Br.A. and Br. L.H.M. - (even bearing in mind points (d) and (g) above).

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Ambiguous and Unambiguous Situations.

The following have been alleged as cases of sexual abuse - placing the material here in a generalised fashion:
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(a) Sleeping with boys.

Since there is no apparent health or discipline reason for a Brother to sleep with a boy, and because of the obvious sexual connotations, it must be presumed that sexual abuse was involved, even if the relationship was entirely platonic. There is no ambiguity on this one.

(b) Brother takes boy to his room, alleging some disobedience, bends boy across Brother's bed, boy lowers shorts, Brother beats boy's exposed rump with strap.

This is an ambiguous situation (1950s). Brother disobeyed a rule not to have boys in his room. However, in itself this is not an abuse; it simply makes allegations of abuse likely. A parent in 1950s was perfectly capable of 'beating' his/her child on the bare buttocks; Brother 'in loco parentis'.

As far as it goes this does not constitute sexual abuse. Physical abuse if the beating itself unreasonable. (In 1992 this would possibly be thought of as sexual abuse).

(c) As in (b) above, but Brother in some sense also 'interferes' with boy. If genital contact did occur during or after a beating, there would be no ambiguity. In effect, this is the basis of the allegation against Br. A. - and probably true, in my opinion.

(d) Brother(s) takes/ take boy(s) to showers at dead of night, stripped, cold showered and beaten.

This is an allegation. At first sight it does not look too good at all, but almost certainly the context is the bedwetter problem.

This is discussed in the BRIEFING NOTES - the crucifying problem for the lads who 'wet the bed'; the appalling problem that this caused for staff in the days of big numbers / few resources / no washing machines / no driers.

Brothers (and staff of kindred organisations) tried to break the boys out of the habit. They would (a) make such boys go to toilet before bed; (b) wake them up somewhere in the middle of the night to urinate at the toilet.

In addition, such boys slept au naturel so as not to wet pyjamas or any other garment, and when sent to toilet, would be nude. Cold showers and stokes of the strap were also applied. All this is not very pretty, but in the context would not have constituted sexual abuse.

Furthermore, staff tended to believe that bedwetters could control themselves if they tried, and disciplining them was to urge them to try very hard.

(e) There are no clear precise allegations (W.A.) that a Brother in the child migrant era literally tried to have oral or anal sex with a boy - and sniggering hints do not make firm allegations.

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