



# Tuart Place

Growing Strong Together

24 High St., Fremantle WA 6160 Ph: 08 6140 2380 Freecall: 1800 619 795  
Fax: 08 9382 4114 admin@tuartplace.org www.tuartplace.org



Government of Western Australia  
Department for Child Protection  
and Family Support



## STATEMENT TO THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE

Name: Arthur and John Wells

Contact details: VG [Redacted]

**DRAFT**

Date of birth: VG 1944

### Terms of Reference

As a child we were placed in Coolgardie Convent, Castledare, Clontarf and Hillston children's Homes in Perth Western Australia. We experienced abuse in all these institutions and were sexually abused at Clontarf, which was an orphanage operated by the Christian Brothers.

Our circumstances are therefore within the Terms of Reference of the Royal Commission into Institutional Responses to Child Sexual Abuse.

### Attachments

- A. Statement for Redress WA (John Wells) undated
- B. Towards Healing Contact Report (John Wells) dated 29-2-12
- C. Towards Healing Deed of Release (John Wells) signed 23-7-12
- D. Redress WA application (Arthur Wells) undated
- E. Towards Healing Contact Report (Arthur Wells) dated 12-3-12
- F. Towards Healing Deed of Release (Arthur Wells) signed 9-7-12
- G. Letter from WA Professional Standards Office, dated 19-11-13

.....  
Signed (Arthur Wells)

.....  
Signed (John Wells)

Dated .....

Dated .....

*This Report was prepared by Dr Philippa White, Director of Tuart Place, on behalf of John and Arthur Wells.*

*John and Arthur are twins, and had similar experiences as children in institutional care. They also had similar experiences during more recent interactions with past providers, while seeking institutional responses to their childhood abuse. John and Arthur have therefore elected to submit a joint statement to the Royal Commission.*

*John and Arthur met together with Commissioner Andrew Murray and Royal Commission Officer Dr Marilyn Rock for a private session in Perth on 31<sup>st</sup> January 2014.*

## **STATEMENT**

The incidents of child sexual abuse John and Arthur Wells experienced are identified in Attachments A to E (Redress WA and Towards Healing documents). There were no institutional responses to the abuse John and Arthur experienced during childhood, because they were unable to report the abuse at the time. The abuse at Clontarf was committed by Christian Brothers who were John and Arthur's carers and there was no opportunity to report the abuse to anyone outside the organisational system.

John and Arthur also feared that no one would believe them; that they could be punished for telling what was happening; or that people would think it was their fault. They also felt too embarrassed and ashamed to talk about the abuse, and as children didn't fully understand what was happening and did not know the words to describe sexual abuse.

## **INSTITUTIONAL RESPONSES**

It is not until recent years that John and Arthur have begun to address the impact of their childhood abuse and have sought institutional responses. Both these experiences have been unsatisfactory and left them feeling re-abused in different ways.

### **Redress WA**

John and Arthur submitted an application to Redress WA when it was introduced in 2009. John and Arthur both found that the process of having their abuse documented led me to understand how seriously the abuse had affected their lives. After John and Arthur went through the painful process of talking about their childhood experiences for their Redress applications, the WA Government announced a reduction in the maximum level of payment from \$80,000 to \$45,000, effectively meaning that all levels of payment were reduced by almost half the previously-specified amount.

John and Arthur believe that for the Government to change such a fundamental part of the redress scheme after they had made the decision to participate in the scheme and gone through the traumatic process of detailing their experiences was grossly unfair and a breach of trust. Arthur comments that he felt "at the mercy of the establishment; and who are we to contest a ruling of the government?"

### **Towards Healing**

In early 2012 John and Arthur participated in the Towards Healing process, via the Perth office of the Professional Standards Resource Group (PSRG). Their complaints were against the Christian Brothers for abuse experienced at Castledare and Clontarf Boys Homes.

After John and Arthur's statements were documented by the PSRG, they each met separately with two Christian Brothers in a facilitated mediation setting. Both John and Arthur did not feel prepared for this meeting and do not believe they were adequately advised of their rights.

John and Arthur state that neither of them was told he could invite an independent support person to accompany them to the meeting. Instead, the Director of Professional Standards at that time, Christopher Waddell, advised John and Arthur that he would accompany them to their respective meetings and act as support person. The twins now realise this was inappropriate, as the PSRG Director is not a neutral party and could not be expected to offer unbiased support.

Furthermore, John and Arthur state that prior to the meeting Chris Waddell told them that most complainants only received around \$10,000.

Towards the end of their individual mediation meetings, the Christian Brothers offered John and Arthur a \$35,000 ex-gratia payment each. John and Arthur state that they were not told they could take some time to consider this offer, or to seek independent advice, and were concerned that the offer may be retracted if they did not accept it during the meeting. They both therefore accepted an offer that, upon consideration, they believe to be manifestly inadequate.

Arthur points out that after he accepted the ex-gratia payment offer, it became apparent that the paperwork had already been drawn up prior to the mediated meeting. He is not sure if the amount was already filled in.

John and Arthur report that they were asked to sign a Deed of Release prior to leaving the meeting, which formalised the terms of offer and their acceptance of it. John and Arthur describe the formal mediation as an unfamiliar and rather intimidating process and although they had some misgivings, neither John nor Arthur felt confident to challenge or question the process at that time.

After their mediation meetings, when John and Arthur had time to reflect back on the process, they found that they were deeply unsatisfied with the way the offer was handled and the apparent lack of advice regarding options and rights. Both John and Arthur believe they were given inadequate time and information to make an informed decision about whether to accept the funds or not, and that there was a definite sense of 'take it or leave it'.

In about September 2013, John and Arthur contacted the Professional Standards Office to request a review of the Towards Healing process and ex-gratia payment offers.

In a letter dated 19-11-13, the twins' request to reopen their Towards Healing complaints was refused on the grounds that a signed agreement concluded the matter, and that the process had been fair and just.

John and Arthur are not satisfied with this response and do not believe the treatment they received was fair and just.

John reports that the Towards Healing process was psychologically and emotionally unhelpful and that he re-experienced feelings of fear, apprehension and anxiety, and sense of intimidation he had felt as a child. He does not believe that the process was genuine, and having completed Towards Healing, his overwhelming sense is that of a 'crushing of spirit'.