

Gooding, Martin

From: ARX
Sent: Monday, 29 April 2013 10:05 PM
To: Gooding, Martin
Subject: Re: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Martin

Good evening.

Another year has past and I have been considering whether to make a statement to the Royal Commission re sex abuse. I have been thinking back through my engagement with the Police and their communication to me that is ARJ and Mr Barratt had still been alive they would have been charged as well. I know that the NSW Police felt incredibly frustrated with what they saw as a lack of cooperation with them from the School. I wonder if the Royal Commission will have broader powers than the police to deal with issues, gather information etc.

Further to the emails below; I sought to call Mr Weeks following his response to my call but was not able to speak to him. He returned my call again but I have not as yet spoken to him and certainly I have received no apology from the School as you indicated in your email below. I wonder if 12 months on, and almost 18 months since Stewart was sentenced, why the school is not in a position to issue those apologies? It seems a small thing for the school to be able to do yet it would have a significance for me.

Could you also confirm if the School has made any efforts to voluntarily contact the Royal Commission to shine further lights on the abuse perpetrated by the teachers involved?

ARX

On 22/02/2012, at 1:45 PM, ARX wrote:

Martin

Thank you for your response. I know that you are in a difficult position on these issues and thank you for the efforts that you are making to be transparent.

I have received an email from John Weeks making contact and will do so shortly. The day(s) I called him and you were "up days" where I was feeling like I could cope with the engagement; today is not one of those days.

Thank you for confirming the position re counselling. I have the number of the person that I need to call and will try and do so in the coming days.

Regards

ARX

On 22/02/2012, at 1:38 PM, Gooding, Martin wrote:

Good afternoon ARX

I have referred some of what you raise with the Headmaster, and so I cannot address everything you raise.

However, I do sincerely hope that you are able to avail yourself of counselling. It is a very important step, and I do encourage you to do so. Nothing has changed from my earlier emails as far as the practicalities/cost are concerned, please be assured.

It is true that Stewart has now plead guilty to a number of charges and been sentenced. This occurred in mid-December.

As the names of the victims has not been made public, the school is not necessarily in the position of being able to apologise directly. In the other cases, most apologies have been made through the police.

I have asked the Headmaster to clarify the situation in the case of Stewart, and I am awaiting his response. I am sure that an apology will indeed be given to the victims of Stewart's actions.

Kind regards

Martin

From: ARX

Sent: Monday, 20 February 2012 3:12 PM

To: Gooding, Martin

Subject: Re: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Dear Martin

I am just touching base with you again. I have tried to make an appointment with the counsellor several times before Xmas but was not able to do so. I have now been informed that Stewart has pleaded guilty and been sentenced. I am hoping that this will give me the ability to engage the counselling process. If I can, I will let you know.

I re-read your emails this morning (copied below) and note that Stewart has now pleaded guilty and been sentenced to jail. I understand that it has now been at least 4 months since this occurred and (although the school clearly knows that I am one of the victims) no apology has been provided to me and the school has not sought to engage with me in relation to any process in that regard. This does not seem to be consistent with your email below about the process that was to be followed.

I also called Mr Week's office last week and left a message asking about the apology. I have not had a return call.

ARX

On 31/10/2011, at 1:16 PM, Gooding, Martin wrote:

Dear ARX

I am sorry that you have not been able to start the process; I understand how difficult everything may well have been.

Perhaps on your return from China you could let me know and I will ensure that there are no practical impediments to counselling.

Kind regards

Martin

From: ARX
Sent: Monday, 31 October 2011 2:30 AM
To: Gooding, Martin
Subject: Re: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Dear Martin

I just wanted to let you know that some 12 months on I have still not been able to start the counselling services - a range of reasons but dealing with the Court process re Stewart has taken its toll and I was not ready to start it although I need to. I am in China for another few weeks but when I get back I do intend to start it. Just thought I should let you know.

Regards

ARX

On 18/10/2010, at 4:41 AM, Gooding, Martin wrote:

ARX

There is no administration to go through, and invoices should be sent directly to Mr Paul Brown, Deputy Headmaster. Paul Brown is responsible for ER / staff counselling and the like. It would be wise to have a review in, say, 6 months, and your counsellor can deal directly with Paul in that regard, not to interfere, but to consider timeframes. I do hope that you achieve the outcomes you wish.

Kind regards

Martin

From: ARX
Sent: Friday, 15 October 2010 1:02 PM

To: Gooding, Martin

Subject: Re: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Thanks Martin. Please let me know if there is any prices or admin that I need to go through to effect this. If not, please advise who the counsellor should send the accounts to. Regards ARX

Sent from my iPhone

On 14/10/2010, at 10:25 AM, "Gooding, Martin" [REDACTED] > wrote:

Dear ARX

In regards to counselling, we are more than happy that you approach and use the services of the counsellor in whom you have most confidence. The School will, of course, pay for this counselling.

Kind regards

Martin

ARX

From: [REDACTED]
Sent: Thursday, 14 October 2010 11:54 AM
To: Gooding, Martin
Subject: Fwd: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Martin. Can I please have an urgent response re the counselling. I appreciate that you did not receive the email originally, however, i have been waiting to move forward with this for several weeks and need to get into the process as I will no doubt have to wait some time for an appointment. Regards ARX

Sent from my iPhone

Begin forwarded message:

From: ARX
Date: 11 October 2010 7:05:18 AM AWST
To: "Gooding, Martin" [REDACTED]
Subject: Re: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Dear Martin

Thank you for your response. As a lawyer, it appears to me to be crafted as a "legal" response; to put forward the School's position without seeking to actually address the central questions that I raised in my email, which is again disappointing.

As to an apology; the position that the Schools is adopting is curious to me; it seems that you are saying that it is only in the case that a teacher is found to have committed a criminal offence at the relevant time that the School will issue an apology. Is that correct? If so, then you are saying that the School will not apologise to those students that have clearly been the subject of inappropriate and

damaging behaviour at the hands of the relevant teachers. Further, it therefore means that only students that are prepared to go through the ordeal of a trial (which I am) and to tell their story are the ones that will have the justice of an apology "offered" to them.

Further, when you say, " We have been as open and transparent as we legally can, and have tried to support old boys as much as possible, again within legal constraints." are you referring to legal constraints imposed upon you by NSW laws that protect the identity of the victims; or are you referring to legal restraints in terms of protecting the School from making admissions that may expose the School to legal liability? I can only assume that it was the later? In my case, the School knows that I was involved; it knows that I sought access to counselling and was disappointed with the way the School handled the counselling issues; is the School's position that it was legally unable to contact me over the past 18 months to see if I was okay and whether I had accessed the counselling? It seems extraordinary to me if that was the School's position.

The email that I sent to you on the Monday while I was in Sydney at Mr Stewart's Committal Hearing was to note that I had not accessed the counselling service since the previous problems accessing it and that I now felt, following the Committal, that I was in a position to do so; that I had to move forward with the issues and deal with them. In that email I requested that the School inform me of its position on accessing counselling services and noted that the selected provider in Perth did not have (or at least the relevant counsellor appointed did not have) experience in abuse cases. I asked if the School would allow me to work with a provider of my choice (and someone that I had seen many years ago in Perth to try to deal with these issues). Please let me know what the School's position is on that.

Regards

ARX

On 11/10/2010, at 4:50 AM, Gooding, Martin wrote:

Dear

ARX

Thank you for your email; I will try to answer all your questions, though it is not possible to respond to some of the matters you raise.

When we were in contact last year, I explained that counselling was offered to all members of the Knox community, particularly the Old Boys, but without reference to the extent to which any person accessing counselling was or was not involved in the matters which were being investigated. As well, counselling was to be confidential, to

protect those seeking it, and to ensure that no improper contact was made. As you would understand, it would be inappropriate for the school to make individual contact, for privacy as well a legal reasons. The School could not be seen, for example, to be "interfering" or "seeking to influence" any person who may be directly involved in any of the cases.

In your own case, as you identified yourself as having given a statement to the police, you can understand that, beyond ensuring that you had access to counselling as required, the School could not make further contact.

The School has openly and fully cooperated with police, and acted on their advice at all times.

That does not mean that the School has been, or is, uncaring or unconcerned. Counselling remains available, and there are OKGs still accessing it.

As indicated above, it would be inappropriate for the School to comment on anything said to you by any member of the police; we have given the police total access to any documents the school has- remember that the matters in question occurred or allegedly occurred [some are still before the courts] well over twenty years ago- and the School has spent many many hours assisting the police at all times, seeking only that justice be done.

The School has offered a public apology, and has sought to offer individual apologies to the Old Boys involved in the cases, but it can only do so at the conclusion of each case, and only through the police. As you would know, the identities of the complainants have not been made public, which is only proper, so the School can only act through the police, and not personally .

The Stewart and Nisbett matters are not finalised as yet; Mr Nisbett has, as you no doubt read in the papers, pleaded guilty to a number of charges, but has not been sentenced, and can therefore change his plea. Mr Stewart, as is also public, has pleaded guilty to some charges but other charges will be tested in court at trial. Again, Mr Stewart may withdraw his guilty plea, or not.

In the circumstances, it would be improper, and legally wrong, for the School to offer personal apologies when the matters have not be completed. Rest assured, however, that it is the firm intention of the School, and the Uniting Church, to offer such apologies to each OKG involved, just as it has done in the other cases.

ARX, in no way does the School condone or seek to hide any wrongdoing by its staff, then or now, and we are genuine in our revulsion at such activities. We have been as open and transparent as we legally can, and have tried to support old boys as much as possible, again within legal constraints. It has been a very unpleasant two years, for those involved and for the School, too.

I hope that this assist you as the matters move towards their legal conclusion.

Kind regards

Martin

ARX
From: [Redacted]
Sent: Friday, 1 October 2010 11:14 PM
To: Gooding, Martin
Subject: <http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Dear Martin

I was re-reading the attachment press statement today. It refers to a joint apology that the School and the Church have offered to students involved. I have not been offered such an apology.

<http://www.knox.nsw.edu.au/img/pdfs/press.html/091215-Message-2Community-from-HM.pdf>

Further, I note that the School has made no attempt to contact me personally without prompting and that since the counselling "issues" last year; again the school has not sought to make any contact to see if there was anything that the school could be doing to assist the students affected. This is disappointing.

I was also concerned to hear from one of the members of the investigating police that:
(a) various documents that the investigating team requested were reported by Knox to have "gone missing" from files; and
(b) had Messrs ARJ [Redacted] and Barratt still been alive then they would most likely have been charged as well.

It concerns me greatly that, Messrs Stewart and Nisbett (and ARJ [Redacted] and Barratt) were all teachers and friends when I was in Years 5 and 6 in 1980 and 1981. Is the School satisfied that there wasn't a coordinated student grooming network in place between those teachers during that time?

I look forward to hearing from you. I am overseas next week, but will be monitoring my emails.

Thank you

ARX
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